

ANNUAL TOWN REPORT



CHELMSFORD 1991

*Rules Committee
report P. 15-
on Rule Call, etc.
& P. 54 found
Fols*

IN MEMORIAM

GEORGE E. BAXENDALE
Cemetery Department

CATHERINE R. CURRAN
Building Department

MELVIN deJAGER
Civil Defense Committee

WILLIAM W. EDGE
Civil Defense Committee
Finance Committee
Park Department
Superintendent of Public Buildings

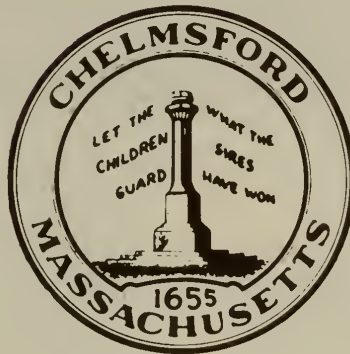
EVELYN M. PHILBROOK
Office of Board of Assessors

PETER J. SAULIS
Board of Health Inspector

Front Cover:

*Desert Storm Parade on Chelmsford Common.
Brothers: Steven and Keith Whitney, Chelmsford residents
and members of Desert Storm armed forces. (Photo by: Jean Sougnez)*

ANNUAL REPORT
of the
Town of Chelmsford



FOR THE YEAR ENDING DECEMBER 31,

1991

GENERAL INFORMATION

Incorporated	May, 1655
Type of Government	Town Meeting
Location	Eastern Massachusetts, bordered by Lowell and Tyngsboro on the North, Billerica on the East, Carlisle on the South, and Westford on the West. It is 24 miles from Boston, 40 miles from Worcester, and 225 miles from New York City.
County	Middlesex
Land Area:	22.54 Square Miles
Population 1991:	31,926.
Assessed Valuation Rate 1990	\$2,441,218,839 (Real Estate) \$42,021,530 (Personal Property)
Tax Rate:	Flat Rate \$12.39 (\$12.16 Residential—\$13.01 Commercial)
United States Senators in Congress:	
5th Congressional District	Chester G. Atkins, Concord, MA
State Senator	Lucile C. Hicks, Wayland, MA
Representative in General Court	
16th Middlesex District	Carol C. Cleven, Chelmsford, MA
Accounting Department	Monday thru Friday.....8:30 a.m.-5:00 p.m.
Assessors Office	Monday thru Friday.....8:30 a.m.-5:00 p.m. Monday Evenings.....7:00 p.m.-8:00 p.m. (Except June, July & August)
Board of Health	Monday thru Friday.....8:30 a.m.-4:30 p.m.
Highway Department	
Office	Monday thru Friday.....8:00 a.m.-4:30 p.m.
Garage	Monday thru Friday.....7:00 a.m.-3:30 p.m.
Public Libraries	
Adams Library	Monday, Tuesday & Wednesday 9:00 a.m.-9:00 p.m. Thursday.....1:00 p.m.-9:00 p.m. Friday & Saturday.....9:00 a.m.-5:30 p.m.
Children's House	Monday, Tuesday & Wednesday 9:00 a.m.-8:00 p.m. Thursday—Closed Friday & Saturday.....9:00 a.m.-5:30 p.m.
McKay Library	Monday & Wednesday.....1:00 p.m.-8:00 p.m. Tuesday.....1:00 p.m.-6:00 p.m. Thursday, Friday & Saturday..9:00 a.m.-1:00 p.m.
School Superintendent	Monday thru Friday.....8:00 a.m.-4:30 p.m.
Selectmen's Office	Monday thru Friday.....8:30 a.m.-5:00 p.m.
Town Clerk	Monday thru Friday.....8:30 a.m.-5:00 p.m. Monday Evenings.....7:00 p.m.-8:00 p.m. (Except June, July & August)
Tax Collector & Treasurer	Monday thru Friday.....8:30 a.m.-5:00 p.m. Monday Evenings.....7:00 p.m.-8:00 p.m. (Except June, July & August)
Veterans' Agent	Monday thru Friday.....8:30 a.m.-5:00 p.m.

MEETINGS

Annual Election	First Tuesday in April	9 Precincts
Annual Town Meeting	Last Monday in April	McCarthy Jr. High
Selectmen	7:00 p.m.-Every other Monday	Town Offices
School Committee	7:30 p.m.-Every other Tuesday	Parker School
Planning Board	7:30 p.m.-2nd & 4th Wednesday	Town Offices
Appeals Board	7:30 p.m.-4th Thursday	Town Offices
Conservation Commission	8:00 p.m.-1st & 3rd Tuesday	Town Offices
Board of Health	7:00 p.m.-1st Tuesday of Month	Town Offices
Housing Authority	7:30 p.m.-1st Tuesday of Month	10 Wilson Street

BOARD OF SELECTMEN



(Front) Dennis J. Ready, Chairman; William R. Logan, Vice Chairman; (Rear) Roger A. Blomgren; Richard E. DeFreitas, Clerk; Henrick R. Johnson, Jr.

In April, 1991 the Board of Selectmen reluctantly said goodbye to veterans Bonita Towle and Bradford Emerson, who retired after twelve and seven years on the Board, respectively. Board members welcomed new members William A. Logan and Richard E. DeFreitas, elected in the Town Election on April 2, 1991, a race in which there were eight candidates for two seats.

At the Board's reorganizational meeting on April 4th Dennis J. Ready was elected Chairman. Mr. Logan Vice Chairman and Mr. DeFreitas Clerk. Members Henrick R. Johnson, Jr. and Roger A. Blomgren took the fourth and fifth chairs.

Of major concern during the first half of 1991 on the local level was Operation Desert Storm, during which American troops were deployed to Saudi Arabia. Forty-two Chelmsford residents served in the Armed Forces during this conflict, with much support from the Townspeople. The theme of the 1991 Fourth of July Parade was "Welcome Home," dedicated to the veterans of this conflict.

Other events during 1991 included: the Board voted to support no pay raises for Town Employees; they

voted on 5% Classification in October; a Special Election was held in June with five override questions on the ballot. Only the school override passed, with an additional \$950,000 being voted to the School Budget.

The Board accepted with regret the resignation of Town Accountant Lorraine Leone and in June appointed Bernard W. Meyler, Jr. to this position.

The Board of Selectmen continued their active role in the Massachusetts Selectmen's Association, the Northern Middlesex Council of Governments, the Middlesex County Advisory Board and the Massachusetts Municipal Association. Individual Selectmen also served as liaisons between the Board of Selectmen and various town and regional boards and commissions during the year.

Due to the fact that national and state legislative decisions have a great impact on Town affairs, the Board of Selectmen maintained regular contact with Congressman Atkins' office as well as with Senator Lucile Hicks and State Representative Carol Clevin. The Selectmen wish to express their gratitude to Congressman Atkins, Senator Hicks and Representative Clevin for their help

and cooperation during the past year.

In closing, the Selectmen, on behalf of the citizens of Chelmsford, wish to express their gratitude to the various Town boards and committees for their accomplishments during the year. It should be remembered that these boards and committees are composed of unpaid volunteers who take many long hours out of their free time to work on issues and projects that benefit the Town of Chelmsford. The Board would also like to recognize the competent and dedicated office staff of Judith Carter, Marian Currier and Elaine Casey.

Dennis J. Ready, Chairman
William R. Logan, Vice Chairman
Richard E. DeFreitas, Clerk
Henrick R. Johnson, Jr.
Roger A. Blomgren

TOWN MANAGER

To The Citizens of Chelmsford:

The year which ended on December 31, 1991 was difficult for the Town of Chelmsford as financial constrictions continued to demand most of the attention of the Town administration. The year began with a Town Meeting that voted FY91 budget reductions necessitated by continued cutbacks in state aid. These budget cuts signed into the development and subsequent passage of an FY92 budget which included continued service reductions including lay offs of personnel including police and fire, the closure of the West Fire Station, and the elimination of recycling as a tax-based service. Other departments also experienced difficulties including Inspections Library, D.P.W. and those departments included within Municipal Administration. While the School Department also underwent difficult budget reductions its problems were eased by the willingness of the Townspeople to override Proposition 2½ by \$950,000, in order to assist education within the community.

Later in the year the Town Meeting made further budget reductions again resulting from reductions in state aid. However, most governmental services were unscathed during this round of cuts as efficiencies and purchasing decisions allowed operating budgets to be minimally impacted. It does appear that the Towns restructuring and downsizing will bear fruit for FY93 and beyond as the workforce has been reduced by approximately 13% and efficiencies have been realized. Both of these factors should allow the Town to weather the last part of the regional economic downstream and position itself for the future. An additional positive is that the Town was able to stabilize its fiscal condition without gimmicks that could cost in the future, without wholesale determinant of capital needs, and without depleting financial reserves. Because of these actions we are able to maintain our A-1 bond rating while most communities nationwide were downgraded.

1991 also saw the solidifying of changes that began with the Town Charter including the hiring of John Long as Superintendent for the newly-restructured Highway Division of the D.P.W. The announced resignation of the Finance Director James Doukaszewicz and Veteran's Agent Mary McAuliffe in 1992 will impact upon the implementation of the newly-structured Finance Department Human Services Department. And in December of 1991 the Charter required Personnel Rules and Regulations were adopted by the Personnel Board and Town Manager after 18 months of work, thereby symbolizing another step forward towards good management practices. Another step in this direction was the first step in the development of a five year budget plan.

I expect that 1992 will be easier from a financial position as our actions since 1989 have had positive effects. However, difficult times will continue for 18-36 months thereby requiring vigilance in our fiscal practices including budget preparation. To this end I hope to work with the Board of Selectmen in establishing firm fiscal policies which will guide the Town well into the future.

I also hope in 1992 to continue efforts of reorganizing and restructuring for cost savings and/or improved service, as well as developing systems that allow for the Town to realize similar goals of savings and service. This will include greater automation as well as regionalization of services and privatization of certain functions. Finally 1992 will require careful negotiations with all collective bargaining units as all contracts expire on June 30, 1992. This timing of negotiations should allow for new contracts that are favorable to the overall Town government.

It is clear that much work lies ahead in 1992 and beyond. However, I am fortunate to have highly qualified and committed department heads, many good employees and volunteers and particularly Judy Carter, Marian Currier and Elaine Casey of my office; and excellent Selectmen who provide direction and support during difficult times. In particular I wish to recognize Bonnie Towle-Hahn and Brad Emerson who chose not to run for re-election in 1991. I also wish to recognize their successors Bill Logan and Dick DeFreitas as well as long time members Dennis Ready, Rhodes Johnson and Roger Blomgren. I am fortunate as is Chelmsford to have such committed individuals working on behalf of the betterment of the community.

Lastly, I wish to recognize and thank the citizenry who have given me much support and understand the difficulty of bringing change to Chelmsford government. I look forward to working with you and for you in the years ahead.

Sincerely,
Bernard F. Lynch
Town Manager

BOARD OF REGISTRARS

Richard F. Burt. Jr.

Judith A. Olsson
Chairman

John F. Ketcham

Mary E. St.Hilaire
Ex Officio

Voting strength as of December, 1991

ENROLLED VOTERS

VOTERS	PRECINCT									TOTAL
	1	2	3	4	5	6	7	8	9	
Total Democrats	551	591	461	620	628	536	530	557	459	4933
Total Republicans	347	407	306	331	468	422	456	330	416	3483
Total Unenrolled	1010	1212	1150	941	1205	1095	1245	1054	1194	10106
Total New Alliance	0	0	0	0	0	0	0	0	0	0
Total Libertarian	1	0	0	0	1	0	0	0	0	2
Total Ind. Hi Tech	0	0	1	4	1	1	3	2	0	12
Total Prohibition	0	0	0	0	0	0	0	0	0	0
Total Green Party USA	0	0	0	0	0	0	0	0	0	0
Total Socialist	0	0	0	0	0	0	0	0	0	0
Total Voters	1909	2210	1918	1896	2303	2054	2234	1943	2069	18536

TOWN CLERK

<u>Sporting Licenses</u>	<u>Dog Licenses</u>	<u>Kennel Licenses</u>	<u>Recorded Mortgages</u>
1179	2899	9	681
<u>Births inc.</u>	<u>Deaths</u>	<u>Marriages</u>	<u>Intentions</u>
365	237	240	240

SPECIAL TOWN MEETING

January 7, 1991

The Special Town Meeting was called to order at 7:40 PM at the McCarthy Middle School Auditorium by the Moderator Dennis E. McHugh, who recognized the presence of a quorum. There were 148 Representative Town Meeting Members present.

The Moderator pointed out the fire exits located within the hall. He went over the Town Meeting procedures.

Selectman Bonita Towle moved that the reading of the Constable's return of service and the posting of the warrant be waived. It was so voted, unanimously. Selectman Towle then moved that the reading of the entire warrant be waived. It was so voted, unanimously.

The Moderator explained that present in the hall were media personnel from a national news broadcasting show. He requested that the Representatives take this into consideration and conduct themselves accordingly and avoid any unnecessary lengthy debate and discussions.

UNDER ARTICLE 1 Selectman Bonita Towle moved that the Town vote to approve and confirm the actions taken at the October 1, 1990 and October 15, 1990 sessions of the Fall 1990 Annual Town Meeting, the record of which is available for inspection at the office of the Town Clerk.

The Town Manager Bernard Lynch explained the purpose of the article. This article is to satisfy Bond Counsel's concerns of the posting of the warrant for the October meeting. The Town by-law and Charter both considered the October meeting as an annual meeting therefore the posting of the warrant was done seven days prior to the meeting date. Bond Counsel considered the meeting a special meeting according to NGL Chap 39 Sec 9, which would require a posting date of fourteen days prior to a meeting. Mr. Lynch asked for passage of this article so the business acted upon can be ratified, there are articles within this warrant which will address the concerns expressed at the December 17th meeting.

The Finance Committee recommended the article. The Moderator asked for a voice vote, motion carried, unanimously.

UNDER ARTICLE 2 Town Treasurer James Doukaszewicz, moved to withdraw this article. Due to the passage of article 1, there was no need to act upon this article. The Finance Committee supported the motion to withdraw. The Moderator asked for a voice vote, motion carried, unanimously.

UNDER ARTICLE 3 Barry Balan, Chairman of the Sewer Commission, moved that the Town vote to

transfer and appropriate the sum of \$550,000.00 from sewer betterments, special revenue, to reduce the exempt portion of debt and interest for Fiscal Year 1992.

Barry Balan explained the article. This article is to reaffirm the Sewer Commission's position on the use of the Sewer betterment fees. The fees are included in the formula being used to offset the costs for the reduction of future construction bonds. The Finance Committee supported the article.

Ronald Gamache questioned why this article was put before article four, which was the petitioned article submitted for calling this special meeting. He felt that if this article passes then it will jeopardize the funding which would be necessary for article four. According to the Report the Fiscal Policy Advisory Committee made at the June 1990 meeting, the Committee and the Town Manager recommended that these fees be applied to the operating budget of Town Government. The Town Manager explained that was indeed the recommendation, but after further discussion with people who live in the Town, the Sewer Commission and others involved from the start of the sewer project, the fees should be applied for the purpose of retiring debt. Ronald Gamache moved to table the article. He felt discussion and vote on article four and the other upcoming articles which intend to be funded with the betterment fees, should be acted upon first. The Moderator asked for a voice vote, motion defeated. Scott McCaig expressed that the betterment fees should only be applied towards sewer projects. Bernard Ready asked for support of the article. A discussion took place. Mark Gauthier moved the question. The Moderator attempted a unanimous voice vote. Hearing none the following tellers came forward and a hand count was taken, which requires a 2/3's vote:

Dorothy Frawley
Jean Horgan

Patricia Plank
Mike McCall

Result of the hand count: Yes 138, No. 2, 2/3's is 93 motion carried. The Moderator asked for a voice vote on the article, motion carried.

UNDER ARTICLE 4 Ronald Gamache moved that the Town transfer and appropriate from the sewer betterment fund the sum of \$110,000.00 to line item 8: Public Safety Salary account.

Ronald Gamache explained the article. He stated that in 1990 in just court reimbursements alone, \$189,749.50 has been returned to free cash. He felt that the Police Department has supported the town with revenues and cited over amounts that have been returned to the general fund, over the years. The crime situation is not going to change. It will go higher especially once the criminal element becomes aware of the decrease in manpower. Public Safety is an area which cannot afford to have any further reductions. Town Manager Bernard Lynch explained he is fully aware of the revenues that the department generates. When that budget is drawn

up predictions are estimated on the receipts that will be turned in by the Police Department. This is also done with other departments, Selectman Bonita Towle, moved to amend the motion by deleting "transfer and appropriate from sewer betterment fund the sum of \$110,000.00 and substitute "transfer from line item 16: Snow and Ice Account the sum of \$55,000.00" to Line item 8 Public Safety Salary Account. She explained that there was surplus money available in this account and that the money would be used to rehire the three patrolmen until June 30th. Dwight Hayward of the Finance Committee spoke against the motion. Only because the weather conditions so far haven't merited much use of this account, that is why there is a surplus. This account could end up being overdrawn which will be paid for at the beginning of the next fiscal year. He listed what had been appropriated and actually spent over the past years. If this is done in effect it would be like an override because this is the only account that is exempt and allowed to be overdrawn. Edward Hilliard said that if Proposition 2½ is going to be overridden the it should be done so by way of a ballot vote, not by overdrawing an account. A discussion took place. Selectman Ready said it was a case of establishing priorities, and that Public Safety must be a priority. Town Manager Bernard Lynch spoke against the motion, he felt that already there has been a storm and there was certainly going to be more before the winter was over. More lengthy discussion took place. Bill Dalton wanted to know what would the guarantee be, if this body did in fact vote the funds needed to reinstate the three officers, that this would be carried out? Bernard Lynch stated that if that is what the majority voted then he would do so. Selectman Roger Blomgren presented areas where he felt cuts could be made in order to raise the money. Kay Roberts expressed her concerns but said that the Town Meeting Representatives should be fiscally responsible. Janet Dubner moved the question. The Moderator asked for a voice vote, motion carried, unanimously. He then asked for a voice vote on the motion to amend, motion defeated. Ronald Gamache then moved to transfer the sum of \$55,000.00 from the Finance Committee's reserve fund to reinstate the three police officers currently laid off. The Finance Committee was not in favor of this motion, Dwight Hayward asked for Town Counsel's opinion on the motion. James Harrington, Town Counsel said that the Town Meeting Body could in fact vote to take money from this account. Dwight Hayward explained that this account is used for emergency items that have not been budgeted for the year, and that the money should not be taken for this type of funding. A discussion took place. A number of representatives spoke for and against the motion. Susan Koeckhaven moved the question. The Moderator asked for a voice vote, motion carried, unanimously. He then asked for a voice vote on the motion to amend, motion defeated. The Moderator asked for a voice vote on the article, motion defeated.

UNDER ARTICLE 5 Wendy Marcks, Chairman of the School Committee moved to withdraw the article due to the lack of available funds. The Finance Committee supported the motion to withdraw. Motion carried, unanimously.

UNDER ARTICLE 6 Janet Hendl, Chairman of the Library Trustees, moved to withdraw the article. Motion carried, unanimously.

UNDER ARTICLE 7 Fire Chief Robert L. Hughes, moved to withdraw the article. Motion carried, unanimously.

UNDER ARTICLE 8 Town Manager Bernard Lynch explained that this action was needed in order to clarify the Charter, Town By-Law, and State law on the Town's Annual Meeting dates of April and October. The Town's Charter and By-law calls for two annual meetings in a calendar year. The State law only allows one annual meeting, any other meeting is to be considered a special meeting which has special requirements for posting a warrant. This action would allow the Town to have two annual meetings in a year once the necessary procedures are accomplished.

The Finance Committee recommended the article. The Moderator asked for a voice vote, motion carried, unanimously. The article reads as follows:

Selectman Bonita Towle moved that the Town vote pursuant to MGL Chapter 43B, to amend the Chelmsford Home Rule Charter as follows:

1. By deleting paragraph (a) **Time of Meeting** of Section 2-12 **Procedures** in its entirety and inserting in its place the following:

(a) Time of Meeting

The representative town meeting shall meet at least twice each calendar year. These two meetings shall constitute the Annual Town Meeting of the town and shall be held in two sessions to be known as the Spring Annual Town Meeting and the Fall Annual Town Meeting. Each session of the Annual Town Meeting shall be called by separate warrant. The Spring Annual Town Meeting shall be held in April on a date fixed by by-law and shall include the election of town officers and other matters to be determined by ballots and is expected to be primarily concerned with the determination of matters involving the expenditure and commitment of town funds, including but not limited to the adoption of annual operating budget for all town agencies.

The Fall Annual Town Meeting shall be held in October on a date fixed by by-law and shall be deemed to have all the powers of an Annual Town Meeting except that it shall not be construed to include the time for the election of town officers and other matters to

be determined by ballot. The Selectmen shall insert in the warrants for both sessions of the Annual Town Meeting all subjects the insertion of which shall be requested of them in writing by ten or more registered voters of the Town, in the manner provided under the laws of the Commonwealth.

The Board of Selectmen may, in any manner provided under the laws of the Commonwealth or the charter, for the purpose of acting upon the legislative business of the town in an orderly and expeditious manner, call the Town Meeting into session at other times by the issuance of warrants therefor.

Ronald Gamache moved to reconsider article 4. He explained the purpose of his request. He cited a bank robbery that took place in town and his own personal experience with it. He felt that there was money available in free cash due to a recent appellate tax court settlement. The unemployment benefit line item could be reduced. The three police positions are needed in order to maintain town services, and public safety. A discussion took place. Robert Sexton moved the question to stop debate. The Moderator asked for a voice vote on the motion to stop debate, motion carried, unanimously.. He then asked for a voice vote on the motion to reconsider, motion defeated.

UNDER ARTICLE 9 Selectman Bonita Towle moved that the Town vote to accept the following mentioned street, as laid out by the Board of Selectmen and shown by their reports duly filed in the office of the Town Clerk:

1. Natalie Road

Providing all the construction of the same meets with the requirements of the Board of Selectmen, and subject to the withholding of any remaining bonds until such requirements have been met; and moved that the Town vote to authorize the Board of Selectmen to acquire any and all temporary and/or permanent easements, and any property in fee simple, with trees thereon, by purchase, eminent domain, or otherwise, for the purpose of securing traffic safety and road improvements; and moved that the Town vote to authorize the Board of Selectmen to negotiate and execute all necessary and proper contracts and agreements thereto.

Town Manager Bernard Lynch explained the article, seeing that there was no money involved, he asked for support of the article. The Finance Committee recommended the article. Motion carried, unanimously.

A discussion took place concerning the need to recess in order for the Town Meeting Representatives to caucus by precinct and vote for one member to represent his or her precinct on the rules committee. It was mentioned in the literature to the representatives that this action take place at the conclusion of article 1, in order

to avoid confusion at the end of the meeting. The Moderator asked for an opinion by way of a show of hands on the issue. Motion defeated, the representatives will caucus at the conclusion of meeting after article 13.

UNDER ARTICLE 10 Selectman Bonita Towle moved that the Town vote to transfer the sum of \$5,000.00 from the Insurance Sinking Fund to General Government Expenses, Line Item -2.

Town Manager explained that this was a standard article. The figure was the required insurance deductible which has come due. The Finance Committee recommended the article.

UNDER ARTICLE 11 Fire Chief Robert L. Hughes moved that the Town vote to accept the provisions of Massachusetts General Laws, Chapter 148 Section 26I, a statute regulating the installation of automatic sprinkler systems in new or rehabilitated multi-unit residential structures.

Deputy Chief James Sousa explained the article. The Finance Committee recommended the article. Motion carried, unanimously.

UNDER ARTICLE 12 Fire Chief Robert L. Hughes moved that the Town vote to accept the provisions of Massachusetts General Laws, Chapter 148 Section 26H, a statute regulating the installation of automatic sprinkler systems in lodging or boarding houses.

Deputy Chief James Sousa gave a description of what constitutes a boarding house and explained the article. The Finance Committee recommended the article. Edward Hilliard questioned the amount of boarding houses in Chelmsford? Deputy Sousa answered to his knowledge only one. Motion carried, unanimously.

A discussion took place again concerning the individual precinct's needs to caucus to fill the Rules Committee positions. It was felt that representatives will leave the hall. The Moderator explained that he hopes full participation would take place and that the representatives stay at the conclusion of the meeting and fulfill their requirements.

UNDER ARTICLE 13 David McLachlan moved that the Town vote to amend Article XI General Wetlands By-law of the General By-laws as follows:

1. Under Section 1. **Application**, by adding the following sentence: The Commission may waive the 50 foot construction prohibition contained herein where the Commission specifically finds that literal enforcement of the prohibition would involve substantial hardship, financial of otherwise to an applicant and that desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of this by-law.

James McBride, Chairman of the Conservation Commission, explained that the Board felt after the passage of article 15 at the October 15, 1990 Town Meeting which also amended section 1, they should amend the by-law again to include a clause in case of hardship. Since the passage in October two hardship cases have appealed to the Conservation Commission and the Board felt that a need is there for waiving the by-law from time to time without a person having to appeal through the court system. That is the purpose of the wording that now appears. The Finance Committee recommended that article.

A discussion took place. John Emerson moved the question. The Moderator asked for a voice vote, mo-

tion carried to move the question. Before asking for a voice vote on the article, he reminded the Representatives to stay at the conclusion of this meeting and caucus. The first meeting of the Rules Committee will be held on January 23rd at the Town Offices at 7:30 PM. He then asked for a voice vote on article 13, motion carried, unanimously.

Mark Gauthier moved to adjourn the meeting, motion carried. The Meeting adjourned at 10:05 PM.

Dennis E. McHugh,
Moderator

Mary E. St.Hilaire,
Town Clerk

**WARRANT FOR
ANNUAL TOWN MEETING
APRIL 2, 1991 and APRIL 29, 1991**

MIDDLESEX, SS

To the Constable, or any other suitable person of the Town of Chelmsford:

Greeting:

In the name of the Commonwealth aforesaid, you are hereby requested to notify and warn the legal voters of said Chelmsford to meet in their several polling places, VIZ:

- Precinct 1. Town Office Building Gymnasium
- Precinct 2. Harrington Elementary School Gymnasium
- Precinct 3. Harrington Elementary School Gymnasium
- Precinct 4. Westlands School Cafeteria
- Precinct 5. Byam School Cafeteria
- Precinct 6. Westlands School Cafeteria
- Precinct 7. McCarthy Middle School, Small Gymnasium
- Precinct 8. McCarthy Middle School, Small Gymnasium
- Precinct 9. Town Office Building Gymnasium

On Tuesday, the 2nd day of April, 1991, being the first Tuesday in the said month, from 12:00 noon until 8:00 p.m. for the following purpose:

To bring in their votes for the following officers:

- Two Selectmen for three years.
- One Member of School Committee for three years
- Two Members of Public Library Trustees for three years
- One Member of the Board of Health for three years
- Three Planning Board Members for three years
- One Member of Housing Authority for five years
- One Member of Sewer Commission for three years
- One Member of the Cemetery Commission for three years

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said meeting.

Given under our hands this 19th day of March, A.D. 1991.

BOARD OF SELECTMEN
OF TOWN OF CHELMSFORD
Bonita A. Towle, Chairman
Dennis J. Ready, Vice Chairman
Henrick R. Johnson, Jr., Clerk
Bradford O. Emerson
Roger A. Blomgren

TOWN ELECTION APRIL 2, 1991

(*indicates Candidates for Re-election)

OFFICES AND CANDIDATES

	Pct 1	Pct 2	Pct 3	Pct 4	Pct 5	Pct 6	Pct 7	Pct 8	Pct 9	TOTAL
SELECTMAN 3 Year Term (2)										
Blanks	164	138	136	153	138	177	146	154	116	1322
Joseph M. Erbacher	24	24	30	43	43	32	30	37	48	311
Barry B. Balan	231	127	189	146	197	211	208	154	205	1668
W. Matthew Whiting	53	53	49	83	70	64	65	55	57	549
Rose A. Sergi	108	178	91	130	119	128	97	154	105	1110
Richard E. DeFreitas	229	241	244	362	275	253	282	245	236	2367
Ronald W. Wetmore	93	125	99	92	180	110	97	103	70	969
William R. Logan	307	212	279	221	279	343	343	277	254	2515
Peter V. Lawlor	172	138	250	195	238	338	310	190	173	2004
Write-in	0	0	2	3	3	2	2	1	0	13
Misc.	0	0	1	0	0	0	0	0	0	1
TOTAL	1381	1236	1370	1428	1542	1658	1580	1370	1264	12829

SCHOOL COMMITTEE 3 Year Term

Blanks	54	47	47	43	29	63	40	52	31	406
Cheryl M. Warshafsky	261	279	243	307	248	304	241	306	244	2433
Barbara H. Ward*	376	287	394	363	491	460	508	327	357	3563
Write-In	0	2	1	1	1	2	1	0	0	8
Misc.	0	3	0	0	2	0	0	0	0	5
TOTAL	691	618	685	714	771	829	790	685	632	6415

LIBRARY TRUSTEE 3 Year Term (2)

Blanks	473	427	467	484	558	560	543	498	440	4450
Kay E. Roberts	344	258	322	367	365	401	350	315	283	3005
James E. Decker	241	179	222	259	268	317	335	222	217	2260
Nanch J. Knight	322	371	356	317	350	380	352	334	321	3103
Write-In	0	1	3	0	1	0	0	1	1	7
Misc.	1	0	0	1	0	0	0	0	2	4
TOTAL	1381	1236	1370	1428	1542	1658	1580	1370	1264	12829

BOARD OF HEALTH 3 Year Term

Blanks	222	208	217	224	299	270	266	218	249	2173
Paul F. McCarthy*	467	407	466	487	471	557	522	463	379	4219
Write-In	1	1	1	2	1	2	2	4	3	17
Misc.	1	2	1	1	0	0	0	0	1	6
TOTAL	691	618	685	714	771	829	790	685	632	6415

PLANNING BOARD 3 Year Term (3)

Blanks	652	618	639	695	719	727	742	658	608	6058
Norma H. VonFricken	226	217	199	222	249	241	225	236	198	2013
Kim J. MacKenzie*	386	321	378	386	441	490	463	378	335	3578
James P. Good*	416	319	401	431	479	530	472	401	396	3845
Christine A. Gleason*	392	376	434	406	424	498	466	381	353	3730
Write-In	1	1	1	0	1	1	2	1	2	10
Misc.	0	2	3	2	0	0	0	0	4	11
TOTAL	2073	1854	2055	2142	2313	2487	2370	2055	1896	19245

HOUSING AUTHORITY 5 Year Term

Blanks	242	207	237	230	279	291	299	212	276	2273
William P. Keohane*	447	409	446	483	491	536	491	472	352	4127
Write-In	1	0	0	1	1	2	0	1	3	9
Misc.	1	2	2	0	0	0	0	0	1	6
TOTAL	691	618	685	714	771	829	790	685	632	6415

SEWER COMMISSION 3 Year Term

Blanks	246	180	238	225	305	290	295	220	256	2255
George F. Abely	442	436	444	488	465	536	494	463	374	4142
Write-In	1	1	1	1	1	3	0	2	0	10
Misc.	2	1	2	0	0	0	1	0	2	8
TOTAL	691	618	685	714	771	829	790	685	632	6415

CEMETERY COMMISSION 3 Year Term

Blanks	248	185	225	212	303	274	282	221	254	2204
Everett V. Olsen*	440	433	456	500	468	553	507	463	375	4195
Write-In	1	0	4	1	0	2	0	1	3	12
Misc.	2	0	0	1	0	0	1	0	0	4
TOTAL	691	618	685	714	771	829	790	685	632	6415

QUESTION 1

Blanks	91	74	58	75	81	104	72	85	69	709
Yes	510	477	559	537	604	634	636	503	492	4952
No	90	67	68	102	86	91	82	97	71	754
TOTAL	691	618	685	714	771	829	790	685	632	6415

REPRESENTATIVE TOWN MEETING MEMBERS 3 Year Term (unless specified)

PREC. 1 (6)	TOTAL	PREC. 2 (6)	TOTAL	PREC. 3 (6)	TOTAL
Blanks	1931	Blanks	1625	Blanks	1886
Richard P. McClure*	378	Milton H. Kinney Jr.	376	Ann Y. Graham	379
Joel M. Karp	375	Karen S. Vandenbulke*	323	Thomas J. Welch*	385
Jean B. Rook*	344	Marc A. Vandenbulke*	309	Pamela S. Amway*	353
Martha McClure*	363	Jeffrey W. Stallard*	341	Michael F. McCall	400
Robert M. Schneider*	338	Mary Jo Welch*	355	Robert D Marazzi*	333
William E. Spence*	398	Albert Leman*	367	Thomas E. Moran*	366
Write-In	7	Write-In	8	Write-In	3
Misc.	12	Misc.	3	Misc.	5
TOTAL	4146	TOTAL	3707	TOTAL	4110

PREC. 1 (1)

Unexpired 2 Year Term	TOTAL
Blanks	266
David A. MacDonald	423
Write-In	1
Misc.	1
TOTAL	691

PREC. 4 (6)	TOTAL	PREC. 5 (6)	TOTAL	PREC. 6 (6)	TOTAL
Blanks	1927	Blanks	1827	Blanks	2401
Daniel J. Sullivan III*	411	Robert E. Brooks*	438	David W. Foner	396
Kay E. Robert*	398	Patricia Wojtas	379	James A. Sousa*	438
Steven B. Hadley*	390	W. Allen Thomas Jr.*	397	Patrick J. Calnan	432
Donald P. Ayer*	382	Jonathan A. Stevens*	440	Howard J. Hall*	415
Michael R. Parquette*	376	Catherine R. Brown*	430	Mary E. Frantz*	451
Beverly A. Koltookian*	394	Steven J. Temple*	397	Earl C. Burt*	420
Write-In	2	John R. Hibbard Jr.*	314	Write-In	20
Misc.	4	Write-In	4	Misc.	1
TOTAL	4284	Misc.	0	TOTAL	4974
		TOTAL	4626		

PREC. 7 (6)	TOTAL	PREC. 8 (6)	TOTAL	PREC. 9 (6)	TOTAL
Blanks	2218	Blanks	1678	Blanks	1861
Paul F. Gleason	442	Bruce J. Harper*	429	Phyllis M. Elias	358
Margaret A. Schloeman*	393	Christopher T. Garrahan	419	Frank R. Peterson*	312
Frederick W. Wikander*	446	Alexander W. Gervais*	386	Edward A. Cady*	308
Thomas E. Mills*	403	Samuel Poulten*	235	Allan T. Galpin Jr.*	318
Carol A. Stark*	403	Evelyn P. Bell*	386	Cynthia J. Kaplan*	307
Linda G. Morabito*	429	Peter G. Johnson*	401	Joseph M. Erbacher	313
Write-In	6	Gail E. Poulten	166	Write-In	5
Misc.	0	Write-In	10	Misc.	10
TOTAL	4740	Misc.	0	TOTAL	3792
		TOTAL	4110		

PREC. 9 (1)	
Unexpired 1 Year Term	TOTAL
Blanks	244
Charles A. Piper	388
Write-In	
Misc.	
TOTAL	632

ANNUAL TOWN MEETING APRIL 29, 1991

The Annual Town Meeting was called to order at 7:36 PM at the McCarthy Middle School Gymnasium, by the Moderator, Dennis E. McHugh. The Moderator recognized the presence of a quorum, there were 157 Representative Town Meeting Members present.

The Moderator acknowledged the students present who had participated in the Student Government Day activities held on Thursday, April 25th. He read the list of students and the office that they held for the day:

Selectman:	Housing Authority:	Police Chief:	
Jennifer Kalos	Edward Morris	Mark Trainor	Wiring Inspector:
Eric Pearson	Tom Killman		David Egdall
Karen Ready	Christina House	Ass't Police Chief:	Building Inspector:
Manjula Sastry		Christine Roffallo	Michelle Brissette
Frank Soracco	School Committee:	Fire Chief:	Supt. of Public Bldg:
	Amy Hiltz	Brian Bell	Kate Nocivelli
Board of Health:	Patti Lee	Ass't. Fire Chief:	Town Manager:
Miranda McNally	Lucien Labrecque	Erin O'Sullivan	Erin Ready
Kathleen Morris	Stephanie MacDougall	Supt. of Schools:	Finance Committee:
Lindsay St. Onge	Donna Sartz, Chairman	Kelly Wolfgang	Noel Dulac
Sewer Commission:	Planning Board:	Council on Aging Dir.	Christine Egan
Dave Flynn	Andy Booth	Catherine Theohary	Cheryl Michallyszyn
Galit Goldshmid	Dean Kelly		
Michael Sablone	State Senator:	Veteran's Agent:	Treas./Tax Collector
Town Constable:	Richard Burr	Stacey Shepard	Chris Zaher
Kristen Kiddler	Library Trustee:	Town Clerk:	State Representative
Cemetery Commission:	Becky Cox	Lori Sandler	Rachel DeYoung
Linda Tanini	Mary Schmidt	Board of Assessors:	
Mary Sullivan	Superintendent of Streets:	Karen Boss	
Lauren Young	Clair Curley	Andria Mitsakos	
Town Moderator:	DPW/Town Engineer:	Sara Siljander	
Jennifer Scutt	Louise Chen		
Town Accountant:	Cemetery Superintendent:		
Erin Hoyt	Kevin Daley		

Selectman Dennis Ready moved that the reading of the Constable's return of service and the posting of the warrant be waived. It was so voted, unanimously. Selectman Ready moved that the reading of the entire warrant be waived. It was so voted unanimously.

The Moderator asked for a moment of silence in memory of William (Bill, Bumpa) Edge, who passed away on April 18th. Bill was a past member of the Finance Committee, and served on numerous committees and boards.

The Moderator then asked for the body to grant permission for two non-residents to address the Town Meeting during the budget and article discussion. Director of the Library, Mary Mahoney, and Business Manager of the School Department, Sylvester Ingeme. Motion carried.

UNDER ARTICLE 1 Selectman Dennis J. Ready moved that the Town vote to hear reports of the Town Officers and Committees.

The Moderator asked David McLachlan, Chairman of the Rules Committee to present the Committee's report. David McLachlan came forward and read the committee's report.

Chelmsford Rules Committee Report

The Rules Committee was convened at the request of the Town Meeting Representatives. An election by each precinct to select a representative was conducted and nine members were chosen (at the STM of January 7, 1991). The Rules Committee decided that its purpose was to consider and recommend guideline and protocol which will encourage an efficient and productive Town Meeting that allows an informed, intelligent and full discussion of the issues at hand. This report consist of recommendations to be adopted by the Town Meeting Representatives ("TMR's"). Once adopted some recommendations may need to be included as changes to the Town's By-laws.

Recommendations to the Town Meeting

1. Town Meeting Management

1.1 Timing

- 1.1.1 Meetings will start promptly at the time posted.
- 1.1.2 Dates and times of Town Meeting ("TM") continuances will be announced when the warrant is posted.
- 1.1.3 No warrant article may be introduced after 11 p.m.—unless the TMR's vote to do so.

1.2 Physical layout of TM

- 1.2.1 A location other than the McCarthy Auditorium should be used in order to allow for more room for TMR's to get up to speak and for better lighting.
- 1.2.2 Selectmen, Town Manager, Town Financial, Director, Town Counsel and other experts needed by those individuals sit together, on the left or right of the hall.
- 1.2.3 Finance Committee sits on the opposite side from the Selectmen.
- 1.2.4 Center area is reserved for the sponsor and speakers of a warrant article.
- 1.2.5 First row of the hall or row adjacent to the microphone is reserved for speakers.
- 1.2.6 A section for the print media will be set aside. Cable 43 commentators will be located off the stage, or away from the discussion. Video and print media should not be allowed to interfere with the TM process or speakers and will be controlled by the Moderator.

1.3 Lobbying

- 1.3.1 The distribution of material and lobbying on warrant articles or other non-TM issues will be prohibited outside of the building housing the meeting. An area will be established inside the building but outside the meeting place where one individual for each side of an issue can distribute material or discuss the issue. Handout material should be dated and signed by the organization.

2 Town Meeting Vote and Accountability

- 2.1 Voice votes will not be used. An initial vote on an article will be made by hand with colored tickets. The Moderator will visually judge the vote and if in doubt will ask for a specific count.
- 2.2 Roll Call Vote
 - 2.2.1 A request for a roll call vote may be made by 40 TMR's anytime after the Moderator ends debate on the main motion and before the next article is considered.
 - 2.2.2 A roll call vote is made in sequential order of precincts and alphabetically with the precinct.
 - 2.2.3 The Town Clerk reads the name of the TMR. The TMR votes, "Yea, Nay or Present." No response is recorded as Not voting. The Town Clerk reads back the name and vote.

2.2.4 At the conclusion of the vote the Town Moderator asks is anyone wishes to vote who didn't and if anyone wishes to change a vote. The inquiry is made in order by precinct.

2.3 Town Meeting Warrant Presentation and Discussion

3.1. Warrant articles must show name of the sponsor.

3.2. When Town property and assets are to be purchased or sold, the name of the purchaser or seller, if known, must be disclosed by the sponsor.

3.3. The sponsor of a warrant article must speak initially to the article.

3.4 Zoning By-Law proposals must show clearly a map denoting existing zoning and proposed zoning, including definitions of zones and explanation of changes.

3.5 All By-law language changes must show the language of the existing By-law, the language of the change, and an explanation of the change.

3.6 Financial articles must show the following: dollars for the past two years and the current year; proposed budget dollars; and the revenue generated by the department requesting the budget.

3.7 View graphs must be large enough to be viewed from the back of the hall or handouts should be distributed.

3.8 The Moderator will allow a question and answer period of the sponsor of an article to gather factual information or understanding of the article. Debate of the article is not allowed at this time.

3.9 The Selectmen and Finance Committee must be asked their position on each article, and are encouraged to state their reasons for their position. The Finance Committee is not required to speak on a nonfinancial article.

3.10 Debate

3.10.1 There should be no limit on the length of time someone may speak but speakers are encouraged to be brief.

3.10.2 The Moderator is encouraged to forbid political speeches from candidates; deviation from the issue; and repetition by the speaker.

3.10.3 No person may speak a second time until everyone has had an opportunity to speak unless through the use of a "point of information" by a previous speaker who wishes to contradict or dispute a factual statement.

3.10.4 The Moderator is encouraged to sense the tenor of the discussion. If all speakers are on the same side of the issue the Moderator should interrupt and ask if there are opposing opinions. If none he should ask the body if they wish to vote.

3.11 Rules should be published in each warrant.

The Moderator asked if there were any questions concerning the Rules Committee report as presented. Edward Hilliard spoke in favor of the report, he felt that the Committee did a commendable job and hoped that the body would accept the report. The question was raised on when would the effective date be of this report? The Moderator explained that once the report is presented and voted to accept as presented then that date is the effective date. If this report is accepted then he intended to begin to incorporate the suggested rules and regulations starting at this meeting, he will get together with Town Counsel and decide which ones should be considered actual by-laws. Cheryl Warshafsky asked how to go about objecting to a particular rule. The Moderator explained that she should get in touch with the committee representative from her precinct or Town Counsel, or himself. If any of these rules do become by-laws then any objections or discussion can be done at the meeting that they will be voted on. Brad Emerson moved that the report be accepted as presented. The Moderator asked for a voice vote, motion carried. Selectman Ready explained that based on the Town Meeting Representatives vote, the Board of Selectmen along with Town Counsel and the Moderator will go over the report and present the necessary by-law changes at the October Town Meeting.

UNDER ARTICLE 2 Frank R. Peterson, Cemetery Superintendent moved that the Town vote to transfer the sum of \$18,000.00 from the Sale of Graves and Lots to the Cemetery Improvement and Development Fund.

Frank Peterson explained the article. Finance Committee and the Board of Selectmen were in favor of the article. The Moderator asked for a show of hands, motion carried.

UNDER ARTICLE 3 Selectman Dennis J. Ready moved that the town vote to authorize the Town Treasurer to enter into compensatory balance agreements, during Fiscal Year 1992, as permitted by General Laws, Chapter 41, Section 53F.

Selectman Ready explained that this would allow the Treasurer to determine which bank to put the Town's

accounts in. Some banks offer different services, and this would allow him to make the choice that would be more beneficial to the Town. The Finance Committee supported the article. The Moderator asked if there was any more questions, or need for discussion? Hearing none he asked for a vote by show of hands, motion carried.

UNDER ARTICLE 4 Selectman Dennis J. Ready moved that the Town vote to authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow money from time to time in anticipation of the revenue of the financial year beginning July 1, 1992, in accordance with the provisions of General Laws, Chapter 44, Section 4, and to issue a note or notes as may be given for a period of less than one year in accordance with General Laws, Chapter 44, Section 17 and 17(a).

Selectman Ready moved to withdraw the article. He explained that there has been some changes in the law and this article is no longer required. The Moderator asked if there was any more questions, or need for discussion? Hearing none he asked for a vote by show of hands, motion carried.

UNDER ARTICLE 5 Selectman Dennis J. Ready moved that the Town vote to raise and appropriate the sum of \$1,555.20 with which to meet bills for previous years.

Selectman Ready explained that this amount due in the settlement of a firefighters arbitration case, that the Town lost. He read some excerpts from the case. The union members were charged with excessive use of sick time during the week of March 5th through March 12, the Fire Chief decided not to fill all the positions, because he felt that the sicknesses were not real. Even though the union was under contract negotiations at the time, there was no evidence that the union was responsible for the abusive sick leave claim.

The Finance Committee support the article. Joseph Erbacher questioned what would happen if the Town did not pay the required amount. Selectman Ready explained tht because it is a settlement of an arbitration judgment the Town could be taken back into court and find the union in favor and force the payment of \$1,555.20 plus any penalties. A $\frac{2}{3}$'s vote is required. The Moderator attempted an unanimous vote, receiving none he asked the following tellers to come forward and conduct a hand count:

Dorothy Frawley, Patricia Plan, Jean Horgan, Norman LeBrecque. Results: Yes 136 No 3— $\frac{2}{3}$'s is 93, motion carried.

UNDER ARTICLE 6 Selectman Dennis J. Ready moved that the town vote to raise and appropriate the sum of \$22,500.00 to engage a private accounting firm to prepar an audit of all accounts in all departments in the Town of Chelmsford.

Selectman Ready explained that this is done each year. David McLachlan requested that the results are published in the local papers, in order for the Town Meeting Representatives be aware of the recommendations. The Finance Committee recommended the article. The Moderator asked for the vote by a show of hands, motion carried, unanimously.

UNDER ARTICLE 7 Robert Joyce, Vice Chairman of the Sewer Commission, moved that the Town vote to transfer the sum of \$750,000.00 from sewer account, special revenue, to reduce the exempt portion of debt and interest in the Fiscal Year 1992 Budget.

Robert Joyce explained that the betterment funds will be used to defray the cost of the sewer bonds. This is the same article that the Commission supported last year. A discussion took place. The Finance Committee and the Board of Selectmen supported the article. The Moderator asked for the vote by a show of hands, motion carried, unanimously.

UNDER ARTICLE 8 The Moderator explained that the following article is the budget for fiscal period from July 1, 1991 to June 30, 1992. The Town Manager, Bernard Lynch would address the Town Meeting Body at this time.

The Town Manager first gave a list and explanation of changes to be made to the balanced budget figures:

Balanced Budget—Expenditures

Line Item	Orig. Amt.	Amend	Revised
1. Municipal Admin. Salary	\$ 768,951	\$ -3,725	\$ 765,226
8. Public Safety Salaries	5,218,276	-103,755	5,114,521
9. Public Safety Expenses	415,196	-9,850	405,346
25. Comm Services Salary	178,563	+114,721	293,284
26. Comm Services Expenses	97,300	+9,850	107,150
TOTAL		+7,241	

Balanced Budget Receipts

Receipt	Original	Revised
Solid Waste	1,403,000	1,442,200

Alternative Budget Receipts

Receipt	Original	Revised
Solid Waste	1,200,000	1,256,200

Sewer Betterment Revenue	Original	Revised
	1,081,947	1,300,000

Conservation Commission Revenue	Original	Revised
	3,655	-0-

Town Manager Bernard Lynch then gave a presentation. He explained that the balance budget provides service cutbacks in many town departments. Five areas will be seeking alternative budgets, seeking Proposition 2 $\frac{1}{2}$ override. The town simply does not have the funds to provide the services and governmental structures that

have existed in the past. Revenues are well down by a half a million dollars. The fixed costs continue to go up, trash, salaries, debt, retirement. Its distasteful not at all enjoyable to have to lay off personnel, cut programs, but there are no objectives, it's a question of priorities. The override request will be 2.1 million dollars, this will still call for service cut backs. He is trying to implement in house projects, via payroll, tax bills etc. in order to save expenses. That is why there is an alternative budget via override passage. The people can decide what level of services and level of taxation they want.

The Moderator asked the Finance Committee for their comments. Chairman, Dwight Hayward asked the Town Meeting Representatives to address the level funded/balanced budget figures in order to have a budget in place for July 1st, so that the services can continue. This is what is available in revenues, then the body can go onto the alternative budgets where the body can deal with the precede problems.

The Moderator then explained the procedure he was going to use going through the budget. He would name the line item which applies to the category and read the numbers going down the specific category. At this point any and all amendments and discussion is to take place. No final vote will be taken until the end. There will actually be two votes, one for the balanced budget figure and one for the alternative budget. He then explained the procedure for amending the figures, and proceeded to read the budget figures.

He read the Municipal Administration category and its total figures, then read the specific category beginning with the Executive Office, Town Manager/Selectmen, where a question was asked concerning the salaries. He continued to read the figures asking for questions at the end of each budget. A question was asked about data processing expense. It was explained that this is the cost of the Assessor's data processing contract. He read down to the Elections Budget where the question was raised by Robert Joyce, about the election hours of 12 noon to 8:00 PM. Is there money in the budget for the hours to be returned to 7AM to 8PM. Town Manager Bernard Lynch explained that this budget did include those hours but due to budget cut-backs this year, the hours were reduced. The Selectmen each year set the hours for a Town Election. The Moderator continued to read to the Finance Committee, where the question was raised about the Salary amount. It was explained that this is for the part time clerical help that is used mostly during the budget review time of the year, which is when the Finance Committee meets. The Moderator read on to the Law Department. Bill Dalton questioned the figure of \$100,000. He wanted to know if this was a realistic figure. Past figures have been far higher. Bernard Lynch explained that those past figures were the costs of negotiations. He continued to read down to the Community Development/NMCOG line item. What was this

department? It was explained that this is the department that the Traffic and Safety Commission uses for traffic survey's and information for development. The Moderator continued to read asking for questions after each department. Under the Education Category, under the Nashoba Valley Tech. the question was raised on what effects the budget cuts are having on those students? The Chelmsford High students are having programs cut and fees are being paid in order to participate in athletic programs. Bernard Nystrom, Superintendent of Nashoba Tech came forth and answered the question. The Moderator asked permission from the body allowing Bernard Nystrom a non-resident, to speak, it was so voted. Bernard Nystrom asked for a point of order, according to state statute, the regional superintendent is allowed to speak at any and all Town Meetings in his region. It was so noted. Bernard Nystrom explained that the Technical High School has indeed cut their budget. He explained what the future cuts may be. A question was raised about the Chelmsford School Budget. Dr. Richard Moser explained that the different unions within the School Department jurisdiction had reached compatible agreements regarding their contracts. It was questioned about where the Town stood with the other Town unions. Bernard Lynch said no agreements had been reached. The Moderator continued to read under the Public Safety/Police Department. Chief McKeon started to explain why he requested the figures in the alternative budget. The Moderator asked him to wait until after the balance budget discussion and vote has taken place. He continued reading, asking the questions and need for discussion. Under the Public Works category, Solid Waste, a discussion took place. Joseph Erbacher moved to reduce this budget by \$186,000.00 For a total figure of \$1,256,200.00. He explained the purpose of this amendment The Selectmen oppose the amendment. The Finance Committee oppose the amendment. A discussion took place, a number of representatives spoke in favor and against the motion. Barry Balan moved to amend the motion to read \$175,000.00. This would eliminate recycling, leaf collection and keep in the mini-bin recycling. The Finance Committee and the Board of Selectmen were against the motion to amend. Barbara Scavezze of the Solid Waste Committee explained that the present contract for recycling included door to door pick-up. Next year the contract will be up for renewal and the costs will most likely increase, the amount shown is the monies needed for this year's contract. More discussion took place. Concerns were made about the Federal mandate beginning in 1992 regarding mandatory recycling. Fran McDougall moved the question. The Moderator asked for a show of hands on the motion to stop debate, motion carried, unanimously. The Moderator asked for a show of hands on Barry Balan's motion to amend. Motion defeated. The Moderator asked if there was any discussion on Joseph Erbacher's motion to amend. Joel Karp moved the question. Motion carried, unanimously by a show of hands. The Moderator asked for a show of hands on the motion to amend, motion defeated. The Moderator

asked for any need of further discussion, hearing none he continued reading the budget line items from Sewer Division to the Library budget. A question was asked if the Library met the requirements needed to be accredited. Director Mary Mahoney said that the requirements were not met, and that she would have to apply for a waiver. Under the Undistributed Expenses/Insurance (liability) Dwight Hayward, Chairman of the Finance Committee moved to amend the total Line item to be \$4,500,082. This would be a reduction in the figure shown, and said that the Committee recommended the figure, because the costs for certain insurance should decrease. When the Moderator asked for the Board of Selectmen's recommendation, there was no recommendation one way or the other at this time. A discussion took place. The Town Manager was optimistic about the possibility of savings. After listening to the Finance Committee's further explanation, the Board of Selectmen recommended the motion to amend. The Moderator asked for a voice vote by show of hands, motion carried. Under the Employee benefits budget, Edward Cady questioned the County Retirement line item. Bernard Lynh explained that this is the Town's portion of the retirement monies for all Town Employees and non-Teacher Employees of the School System. Bill Dalton questioned the Unemployment figure. It was explained the estimated amount could be between \$60-70,000.00 if there are any monies left then it will be returned to free cash. The Moderator asked if there was any further discussion, hearing none he continued reading. He read the Debt and Interest category and then the Total Operating Budget of \$42,804,529.00.

A discussion took place concerning the procedure of voting the balanced budget as presented. If the meeting was to adjourn, the Moderator was concerned about the two required votes. He felt that the budget appeared under one warrant article. He is aware of other monies being slated for presentation concerning the alternate budget figures. Town Counsel James Harrington explained, if this figure is voted tonight then once the meeting is adjourned then the figures under the balanced budget cannot be changed, however, the other monies (alternate budget figures) can be discussed, changed and voted on at the next scheduled meeting. The Moderator felt that a motion should be made to divide the question, or adjourn the meeting and continue the discussion and take the votes at another session, or continue this meeting and discuss the alternate budget figures, and vote. A discussion took place. Selectman Ready explained that the Board of Selectmen wanted to complete the budget and vote the final figures in order to call a Special Town Election as soon as possible concerning the alternate budget figures, which will appear on the ballot as override questions. And moved to adjourn the meeting until Tuesday, April 30, 1991, 7:30 PM at the McCarthy Gymnasium. More discussion took place concerning the need to vote the balance budget figure prior to the adjournment. John Coppinger moved to adjourn the meeting until Wednesday, May

1st, at 7:30 PM at the McCarthy Gymnasium. The Finance Committee and the Board of Selectmen were against the motion to adjourn to Wednesday. Jeffrey Stallard moved the question. The Moderator asked for a show of hands, motion carried to stop debate. The Moderator asked for a show of hands on the motion to adjourn to Wednesday, May 1st. Motion defeated. Grace Dunn tried to address the body. The Moderator ruled her out of order because she was not addressing the issue on adjournment. He then asked for a show of hands on the motion to adjourn to Tuesday, April 30th, motion carried. The meeting adjourned at 11:20 PM.

Dennis E. McHugh,
Moderator

Mary E. St.Hilaire,
Town Clerk

ADJOURNED ANNUAL TOWN MEETING APRIL 30, 1991

The Adjourned Annual Town Meeting was called to order at 7:31 PM at the McCarthy Middle School Gymnasium, by the Moderator Dennis E. McHugh. The Moderator recognized the presence of a quorum, there were 153 Representative Town Meeting Members present.

UNDER ARTICLE 8 con't. The Moderator explained that he has before him a procedural motion from Selectman Dennis Ready. He read the Motion. Selectman Dennis Ready moved that the question under Article 8 be divided as follows:

- First: To entertain a motion to raise and appropriate a certain sum of money to defray Town charges as recommended by the Town Manager representing a balanced budget.
- Second: To entertain one or more separate motions to raise and appropriate certain sums of money to defray Town charges contingent upon passage of a referendum question or questions under Paragraph (g) of Section 58 of the General Laws.

The Moderator explained that this will divide the vote taken under this article. One vote will be the balanced budget figure, and the other will be the vote for the alternate budget figure, which will eventually become the override questions. The Finance Committee is in favor of the motion. The Moderator asked for any discussion, hearing none he asked for a vote by a show of hands, motion carried.

Town Manager Bernard Lynch moved to add the following sentence to the end of the wording of the first part of the divided question: "Such costs may be offset by the estimated receipts from the fees charged to users of services as set forth in the budget." Bernard Lynch then explained the budget figure to be voted on:

Total Operating Budget	\$44,143,729.00
Reduces by Offset Receipts:	
Solid Waste	1,441,200.00
Sewer Fees	337,459.00
Recreation Fees	33,360.00
	<u>42,330,7120.00</u>
Reduced by Special Revenue	
Art 3 STM 1/7/91	550,000.00
Art 7 ATM 4/29/91	750,000.00
	<u>41,030,710.00</u>

He answered questions from the floor, concerning the motion to amend. The Moderator asked for a voice vote by a show of hands, motion carried. Joel Karp moved the question to stop any further debate under its balanced budget. The Moderator asked for a show of hands, an unanimous or $\frac{2}{3}$'s vote is needed. The Chair was in doubt, the following tellers were called to come forward and conduct a hand count:

Dorothy Frawley	Patricia Plank
Lucy Simonian	Jean Horgan

Result of the hand count: Yes 103 No 28— $\frac{2}{3}$'s is 88 motion carried. The Moderator then read the motion: Bernard Lynch moved that the Town vote to raise and appropriate the sum of \$41,030,710.00 to defray Town charges for the fiscal period from July 1st, 1991 to June 30, 1992. He asked for a vote by a show of hands, motion carried. The Budget figures are as follows:

GENERAL GOVERNMENT:

1. Salary	\$ 765,226
2. Expenses	305,830
3. Out-of-State	801
4. Outlay	2,504
5. Legal Services	30,000
	<u>1,104,361</u>
Total General Government	

CHELMSFORD SCHOOL DEPARTMENT:

6. Total Budget	21,347,676
-----------------	------------

NASHOBA VALLEY TECHNICAL HIGH SCHOOL:

7. Total Town Assessment	492,945
--------------------------	---------

PUBLIC SAFETY:

8. Salary	5,114,521
9. Expense	405,346
10. Out-of-State	3,500
11. Outlay	33,001
	<u>5,556,368</u>
Total Public Safety	

PUBLIC WORKS:

12. Salary	905,489
13. Expense	2,396,685
14. Out-of-State	0
15. Outlay	2,002
16. Snow and Ice	350,000
	<u>3,654,176</u>
Total Public Works	

SEWER COMMISSION:

17. Salary	0
18. Expense	47,065
19. Out-of-State	1
20. Outlay	0
	<u>47,066</u>
Total Sewer Commission	

CEMETERY COMMISSION:

21. Salary	115,420
22. Expense	24,591
23. Out-of-State	500
24. Outlay	5,200
	<u>145,711</u>
Total Cemetery Commission	

COMMUNITY SERVICES:

25. Salary	293,284
26. Expense	107,150
27. Out-of-State	0
28. Outlay	0
	<u>400,434</u>
Total Community Service	

LIBRARY:

29. Salary	443,847
30. Expense	163,239
31. Out-of-State	500
32. Outlay	1
	<u>607,587</u>
Total Library	

UNDISTRIBUTED EXPENSE:

33. Total	4,500,082
-----------	-----------

DEBT AND INTEREST:

34. Principal	4,190,000
35. Interest	2,097,323
	<u>6,287,323</u>
Total Debt & Interest	

TOTAL OPERATING BUDGET

44,143,729

Reduced by Offset Receipts:

Solid Waste Fees	1,442,200
Sewer Fees	337,459
Recreation Fees	33,360
	<u>42,330,710</u>

Reduced by Special Revenue:

Article 3 STM 1-7-91	550,000
Article 7 ATM 4-29-91	750,000
	<u>1,300,000</u>

TOTAL RAISE AND APPROPRIATE

41,030,710

UNDER ARTICLE 8A Selectman Dennis J. Ready moved that the sum of \$950,000.00 be raised and appropriated contingent on the passage of a referendum question under paragraph (g) of M.G.L. Chapter 59 Section 21 (c) said sum to be added to the sum appropriated to Line Item #6 School Department Total Budget under Article 8 of the 1991 Annual Town Meeting.

Superintendent of Schools Dr. Richard Moser gave a presentation explaining the cuts that were made and showed the areas that the staff of the School Department took certain reductions in. Judy Mallette, Chairman of the School Committee gave the committee's comments and asked for support of an override question which would reflect the alternate budget figure of \$22,776,587.00. The Finance Committee supports the alternate budget request. The Selectmen support the opportunity for the question to appear on the ballot. A lengthy discussion took place. Lorraine Lambert spoke about the cuts being made in the school library departments. Bill Dalton questioned the legal counsel fees, between the school and the town, over \$200,000.00 has been spent and felt the need for a savings should be addressed. Roger Blomgren moved the question to stop debate. The Moderator asked for a show of hands, which left the Chair in doubt. The tellers came forward and conducted a hand count. Yes 114 No 25— $\frac{2}{3}$'s 83 motion carried. The Moderator asked for a show of hands on the article, motion carried.

UNDER ARTICLE 8B Selectman Dennis J. Ready moved that the sum of \$150,000.00 be raised and appropriated contingent on the passage of referendum question under paragraph (g) of M.G.L. Chapter 59 Section 21 (c) said sum to be added to the sum appropriated to Line Item #8 Public Safety Salary under Article 8 of the 1991 Annual Town Meeting for the Police Department Salary Account.

The Moderator explained that there would be two Public Safety articles, this one is for the Police Department, and another one will be for the Fire Department. Town Manager Bernard Lynch explained the article, this is to keep the staff at the current fiscal year 91 level of officers. A lengthy discussion took place. Questions were asked concerning the number of officers available on each shift, the number of cruisers and marked cars. Roger Blomgren moved the question, the Moderator ruled him out of order. The Finance Committee recommended an override for Public Safety but at a reduced amount. Dwight Hayward moved to reduce the original sum by \$57,000.00 which would give a total figure of \$93,000.00. The Committee said this amount represented a minus of the 3% salary increase that is due to the union employees on July 1st. The Board of Selectmen were against the motion to amend. More discussion took place. Grace Dunn, president of the Federation of Teachers Union read a statement concerning the way the non-school unions were handled during proposed contract re-negotiations. It was not fair to compare the school unions personnel with the town

unions. Roland Linstad, president of the Police Union, spoke against the motion to amend. A number of Town Meeting Representatives spoke for and against the motion. Roger Blomgren moved the question. The Moderator asked for a show of hands, motion carried. The Moderator asked for a show of hands on the motion to amend, motion defeated. Brad Emerson moved the question to stop further debate under the main motion. The Moderator asked for a show of hands, motion carried, unanimously. The Moderator asked for a show of hands on the motion, motion carried.

UNDER ARTICLE 8C Selectman Dennis J. Ready moved that the sum of \$307,000.00 be raised and appropriated contingent on the passage of referendum question paragraph (g) of M.G.L. Chapter 59 Section 21 (c) said sum to be added to the sum appropriated to Line Item #8 Public Safety Salary under Article 8 of the 1991 Annual Town Meeting for the Fire Department Salary Account.

Town Manager explained that this was to keep the staff at the current level of services. If the question did not pass on the ballot then eight firefighters would be laid off and services cut. He felt the voters should decide the issue. A number of questions were asked concerning the staff and actual cuts to be made. Chief Robert Hughes explained that the eight men would be laid off and that the West Fire Station would be closed. This station could be covered by the other surrounding stations, however the response time would be increased from the present two minutes to at least five minutes or more. The Finance Committee said that they had planned to propose a similar 3% reduced figure like in the Police Department, however, they felt that the same result would happen and will not amend the article, but the Committee is in favor of this being an override question. The Board of Selectmen are in favor of this article, it is an attempt to maintain level of services. Brad Emerson moved the question. The Moderator attempted an unanimous show of hands, the tellers came forward and conducted a hand count. Results: Yes 124 No 3— $\frac{3}{4}$'s the motion carried to stop debate. The Moderator then asked for a show of hands on the article. Motion carried.

UNDER ARTICLE 8D Town Manager Bernard Lynch requested that this be tabled due to the possibility of lengthy debate, and take up the Library article. The Moderator felt that because the articles were all under the same motion, he would just move on to the Library article.

UNDER ARTICLE 8E Selectman Dennis J. Ready moved that the sum of \$13,083.00 be raised and appropriated contingent on the passage of a referendum question under paragraph (g) of the M.G.L. Chapter 59 Section 21 (c) said sum to be added to the sum appropriated to Line Item #30 Library.

Bernard Lynch explained that this article and the other Library article to be voted upon is the same as all the other requests, this article would maintain the present level of services. Sarah Warner, chairman of the Library explained the Trustees position. Mary Mahoney, director of the Library told the Representatives about the current staff and what would be eliminated if this override fails. Elizabeth McCarthy, Library Trustee wanted to combine this article and the other Library article together. The total monies requested amount would be the same, however, it would be dispersed differently than presently shown. The Trustees would put more money under the expense line item in order to purchase additional books, and the salary amount would be reduced by the same amount. It would all be appearing under one article. Susan Koeckhoven, president of the Friends of the Library asked for support of this override. A discussion took place. The Finance Committee and the Board of Selectmen supported the proposed amendment. The Moderator read the proposed amendment:

Town Manager Bernard Lynch, moved that the sum of \$96,655.00 be raised and appropriated contingent on the passage of a referendum question under paragraph (g) of M.G.L. Chapter 59 Section 21 (c) said sum to be added to the sum appropriated to Line items in the Library under Article 8 of the 1991 Annual Town Meeting as follows: Line Item 29 Library Salaries \$66,176.00. Line item 30 Library Expenses \$30,489.00. The Moderator asked for a show of hands on the motion to amend the article. Motion carried, unanimously. He then asked for a hand vote on the article as amended, motion carried.

UNDER ARTICLE 8E As a result of the previous article being amended and voted to include this article, the Moderator asked for a show of hands to withdraw this article. Motion carried, unanimously.

UNDER ARTICLE 8D Selectman Dennis J. Ready moved that the sum of \$197,500.00 be raised and appropriated contingent on the passage of a referendum question under paragraph (g) of M.G.L. Chapter 59 Section 21 (c) said sum to be added to the sum appropriated to Line Item #13, Public Works Expense under Article 8 of the 1991 Annual Town Meeting.

Town Manager Bernard Lynch explained the article. Barry Balan questioned the recycling program and the salary being paid. A lengthy discussion took place, where a number of Representatives spoke for and against the article. The Board of Selectmen were against the article. Barry Balan discussed having two override questions one for the trash contract and one for the recycling program. More lengthy discussion took place. Scott McCaig made a motion to adjourn to Wednesday, May 1, 1991, 7:30 PM to the McCarthy Gymnasium. The Moderator explained that all previous action voted at this meeting would be intact. The only discussion that could take place and amended or changed would be this

particular article and any articles after. The Finance Committee and Board of Selectmen were in favor of the motion. The Moderator asked for a show of hands, motion carried. The meeting adjourned at 11:20 PM.

Dennis E. McHugh,
Moderator

Mary E. St.Hilaire,
Town Clerk

ADJOURNED ANNUAL TOWN MEETING MAY 1, 1991

The Adjourned Annual Town Meeting was called to order at 7:30 PM at the McCarthy Middle School Gymnasium, by the Moderator Dennis E. McHugh. The Moderator recognized the presence of a quorum, there were 141 Representative Town Meeting Members present.

James Harrington, Town Counsel made a point of order. He wanted the Town Meeting Representatives and the general public in attendance, to realize that it is his opinion that a motion of any kind can only be made by a Town Meeting Representative. The Town Manager is only allowed to make motions concerning the budget. If any non-Town Meeting Representative attempts to make a motion, they will be ruled out of order by the Moderator.

The Moderator reminded the Town Meeting body that the discussion was to continue at Article 8D the Public Work figure for the alternate budget.

UNDER ARTICLE 8D Town Manager Bernard Lynch moved to amend the article to be \$203,500.00. This figure is to include the \$6,000.00 cost for drop off bin for the multi-family households for this year. The multi-family households are presently not included in the door to door pick-up of the bi-weekly recycling program. The drop off point would be possibly at the Highway Garage. The Board of Selectmen were in favor of the motion to amend. The Finance Committee was against the motion to amend. Edward Hilliard moved to amend the article to read \$766,000.00. The Finance Committee was against this motion to amend. A majority of the Board of Selectmen were against the motion to amend. A discussion took place. The Moderator asked for a show of hands on the motion to amend, motion defeated. Robert Joyce moved to amend the motion to have a figure of \$1,618,034.00. This would be the amount needed for a weekly solid waste pick up. He had another motion to make a separate override question for the recycling program. A discussion took place, a number of Representatives were for and against

the amendment. Fran McDougall moved the question to stop debate. The Moderator asked for a show of hands, motion carried, unanimously. The Moderator asked for a show of hands on the motion to amend, defeated. Sue Olsen felt that the \$6,000.00 should be eliminated and wanted the figure back to the original amount. She felt that the system and site for the multi-family drop off point hadn't been well presented to the neighborhood involved. Bernard Lynch assured her that the plan had been greatly improved. Arrangements will be made with the vendor to drop off a bin on a Friday afternoon and will be picked up Monday morning. This will give the public access on Saturdays to drop off their recyclable materials. More discussion took place. Ronald Wetmore moved the question to stop debate. The Moderator asked for a show of hands, motion carried, unanimously. The Moderator asked for a show of hands on the motion to amend the article by increasing it \$6,000.00 for a total figure of \$203,000.00. The Chair was left in doubt, the following tellers came forward and conducted a hand count:

Dorothy Frawley, Patricia Plank, Lucy Simonian, Jean Horgan. Result: Yes 83 No 48—motion carried to amend. Ronald Wetmore moved the question to stop any further debate. Motion carried, unanimously. The Moderator then asked for a show of hands on the main motion as amended, motion carried. The article reads as follows:

Selectman Dennis J. Ready moved that the sum of \$203,000.00 be raised and appropriated contingent on the passage of a referendum question under paragraph (g) of M.G.L. Chapter 59 Section 21 (c) said sum to be added to the sum appropriated to Line Item #13, Public Work Expense under Article 8 of the 1991 Annual Town Meeting.

Barry Bell wanted to know what the date would be of the Special Election? Selectman Dennis Ready said Tuesday, June 4th. The Board of Selectmen at their next scheduled meeting of May 6th will vote to put the questions on the ballot. Samuel Poulten began discussing the balanced budget and alternate budgets alternatives and wanted to know if the Town Meeting body supported these budgets and to what degree. The Moderator ruled him out of order because Mr. Poulten wasn't asking any questions, he just kept making statements, and began to read Article 9. Bill Dalton asked for a point of order. He said that the Board of Selectmen said they intended to put all of the alternate budget articles on the ballot as override questions, why was it necessary to have a vote on this process. Dennis Ready explained that the Board of Selectmen had indeed committed the board to allowing the alternate budgets to appear on the ballot. However, since then the Board has changed and there are two new members who were not involved with the prior commitment. The Board of Selectmen must decide what will appear on the ballot and in what format. Barbara Ward stated that at least three of the current Board of Selectmen had commit-

ted their vote in writing to the School Committee about having a question on the ballot concerning the School Department's alternate budget figure. Samuel Poulten wanted to know if the Town Meeting Body could vote to have the Board of Selectmen place the alternative budgets on the ballot as override questions. The Moderator advised him to put his proposal in writing so Town Counsel could review it, before an further discussion was to take place. While this motion was being drawn up and reviewed, the Moderator made the following announcement. It had been suggested by Robert Joyce to make some type of acknowledgement concerning the Desert Storm/Desert Shield troops serving in the Gulf. The Moderator publicly thanked Mike Kinney and Sandy Kilburn for all their efforts made in support of the Town's citizens who were the other warriors. He read a list of names and thanked the known thirty-eight service personnel involved with the war:

Thomas Bell	Jason Dunn	Richard Hallion
Jason Jennings	James Paisley	Douglas Degeis
Michael Metheny	Christian White	Steven Whitney
Keith Whitney	Ernest Sparages	Andrew LoPilato
Michael Russo	Thomas Keaney	Daniel Manley, Jr.
Lincoln Clark III	Jeffrey Cappiello	Rodney Gower
George Puccierelli	Kenneth Demers	Gregg Hilliard
John MacDonald	Paul Dulchinos	David Spang
Thomas McCarthy	Patrick Ferguson	Marc Pare
George McLain	Philip Smith	Michael Silva
Neil Shea	Michael Robey	Michael Rothwell
Charles Swanson	Bruce A. Costa	Joseph MacShane
William Walters	James H. Golden, Jr.	

The Town Meeting body acknowledged the announcement with a standing ovation.

The Moderator then read the following motion: Samuel Poulten moved that the Town Meeting request that the Chelmsford Board of Selectmen vote to place all alternative budgets as voted by Town Meeting on a ballot as soon as possible.

He then asked the Finance Committee for their recommendation. The Finance Committee said they didn't have a recommendation one way or the other on this particular motion, however, they do support the override questions. Selectman Dennis Ready said that the Board was in favor of the motion. The Moderator asked for a vote on the motion by a show of hands, motion carried.

UNDER ARTICLE 9 Dennis Ready moved that the article be amended as follows: Under School Department Projects, item "South Row Exterior Doors" should have a cost of \$28,400.00 and not \$48,400.00. The new Article total is \$665,524.00 not \$685,524.00. The amount to be borrowed is now \$620,524.00 and not \$640,524.00. Selectman Ready explained that this is a yearly article, and if there were any questions, the Chairman of the Committee, James Doukzewicz would answer them. Robert Joyce questioned the actual need

for some of the items, and were they real emergency items. Mr. Doukszewicz explained that all the items are thoroughly discussed and voted on at their public hearing, and any item that appears on the warrant article is felt to have a definite need. A lengthy discussion took place concerning the purchase of cruisers. James Greska explained that the original request was for four cruisers, the Department was granted three. The cruisers build up mileage very quickly and are moved along throughout the shifts, until they can no longer be used. James Doukszewicz explained that the cruisers are paid for from the stabilization fund, no bond is taken out on them. David McLachlan questioned where the new sidewalks were going to be. The Sidewalks Planning Engineering line item is not necessary for new sidewalks, it is also for repairing of the present sidewalk areas which are determined to be in need. The Moderator asked for the different committees recommendation. The Finance and the Selectmen were in favor of the motion to amend. He then asked for a vote by way of a show of hands, motion carried. Robert Joyce then moved to amend the article by including only the Police Cruisers line item. He felt that there wasn't a just emergency stated for the other items. The Finance Committee and the Board of Selectmen were bit in favor of the motion to amend. Jeffrey Stallard apologized for his outburst the previous night, and spoke against the motion to amend. Philip Currier moved the question to stop debate. The Moderator asked for a show of hands, motion carried. He then asked for a vote on the motion to amend, motion defeated, by show of hands. Scott McCaig moved the question to stop any further debate on the article as amended. The Moderator asked for a show of hands, motion carried, unanimously. He then asked for a vote on the article as amended, by way of a show of hands, motion carried, unanimously. The article reads as follows:

Selectman Dennis J. Ready moved that the Town vote to appropriate the sum of \$665,524 for the following capital projects:

FY92 CAPITAL BUDGET

Fire Department	Rescue Equipment/	
	Breathing Apparatus	\$ 28,000
	Engine #2 Generator	20,000
Dept. of Public Works	Road Resurfacing	250,000
	Drainage Projects	100,000
	One Ton Truck	30,000
Cemetery Department	Backhoe	45,000
Police Department	3 Cruisers	45,000
School Department	Truck w/Plow	17,874
	Roof Work at H.S.	31,643
	Cafeteria	
	Roof Work at Parker	10,607
	H/S McCarthy Lavatory	
	Partition Work	10,000
	Emergency Hardware	
	for Doors	12,000
	So. Row Exterior Doors	28,400

Traffic and Safety	School Paint Work	10,000
	Sidewalk Planning/Engineering	75,000
	TOTAL	\$665,524

and moved that the Town vote to transfer and appropriate the sum of \$45,000 from stabilization fund, and borrow the sum of \$620,524 to fund these obligations.

UNDER ARTICLE 10 Dwight M. Hayward, Chairman of the Finance Committee moved that the Town vote to raise and appropriate the sum of \$200,000.00 to be used as a Reserve Fund at the discretion of the Finance Committee, as provided in General Laws, Chapter 40, Section 6.

Chairman of the Finance Committee, Dwight Hayward explained the article and asked for support. The Moderator asked for a hand vote, motion carried, unanimously.

UNDER ARTICLE 11 Selectman Dennis J. Ready moved that the Town vote to raise and appropriate the sum of \$20,000.00 for the purpose of funding the sand lease approved by the town under Article 12 of the 1989 Annual Town Meeting.

Selectman Ready explained that this is the fee required to maintain the yearly lease for the sand that is removed from this area. The Moderator asked for a hand vote, motion carried, unanimously.

UNDER ARTICLE 12 Susan Gates of the Mobile Home Rent Control Board, moved that the town vote to amend the General By-Laws by deleting Article XII **Mobile Home Park Rent Control By-Laws** in its entirety.

Chairman of the Rent Control Board, Susan Gates explained that the owner and the tenants had entered a long-term thirty year lease and that there was no need for the Board to exist any longer, the only jurisdiction the board has is to hear eviction notices and that costs the town money, this can be done through the court system, she asked for support of the article. Viola Stone a resident of the park, spoke against the motion to delete this by-law. She felt that if a problem with the owner occurred the tenants still needed to have something to fall back on. James Harrington, Town Counsel explained the special legislation was voted years ago for the Town of Chelmsford, which enabled the town to have a mobile home rent control by-law. The legislation will still be in tact, because of the court decision and lease agreement. If there becomes a problem, then the by-law can be reinstated. He felt that if it was necessary to keep the by-law then he would advise the Town to do so. At this point he feels that the Town has no need to keep this by-law on the books. The Moderator asked for a vote by way of a show of hands, motion carried.

UNDER ARTICLE 13 Town Counsel James Harrington explained that he had requested the Planning Board to put this article on the warrant because the current zoning by-law doesn't allow political signs. This has been deemed by the courts system as being unconstitutional. A by-law can't restrict the existence of political signs, however, it can restrict within reason the size. At the required public hearing changes were recommended and they are being put forth as an amendment to the article. The Moderator read the amendment: Thomas E. Firth Jr. moved to amend the motion under Article 13 as follows:

1. Under Section 3326 and 3337 by deleting the words "One Temporary, political sign, not exceeding four (4) square feet in area" inserting and in their place the following words "Temporary, freestanding political signs, not exceeding in aggregate twenty-four (24) square feet in area.
2. Under Sections 3326 and 3337 by deleting the words "within the front yard area of the property" and inserting in their place the following words "within the front or side yard area of the property.

A discussion took place. Barbara Ward was concerned about the restriction of front yard. Some businesses do not have a front yard and felt that the wording was restricting placement of any signs in a business area that didn't have a front yard. A number of other Representatives spoke for and against the article. Kim MacKenzie, Chairman of the Planning Board read the Board's recommendation.

"The Planning Board, held a Public Hearing on March 13, 1991, and voted at the Planning Board meeting of April 10, 1991 to recommend approval of Article 13 as amended, (7-0) for the April 1991 Town Meeting."

The Finance Committee recommended the article. More discussion took place. The Moderator asked for a show of hands on the motion to amend the article, motion carried. Samuel Poulten moved the question to stop debate. The Moderator asked for a show of hands on the motion to stop debate, motion carried, unanimously. He then attempted a vote by a way of a show of hands, which left the Chair in doubt. The tellers came forward and conducted a hand count: Yes 105 No 8—2/3's 76 motion carried. The article reads as follows:

Thomas E. Firth Jr. of the Planning Board, moved that the Town vote to amend Zoning By-Law Article III, General Regulations, Section 3300 Signs and Outdoor Lighting as follows:

1. Under Section 3320 **Signs Permitted in Residential Districts** by adding the following subsection:

3326 Temporary, freestanding political signs, not exceeding in aggregate twenty-four (24) square feet in area, which is designed to influence the action

of voters for the passage or defeat of a referendum question or other measure appearing on the ballot of an election duly called in the Town of Chelmsford or designed to influence the action of voters for election of a candidate whose name appears on the ballot of an election duly called in the Town of Chelmsford. Such signs may be erected no sooner than twenty-one (21) days prior to the date of election and must be removed not later than fourteen (14) days after such election. Signs permitted by this by-law: (a) shall not be higher than three feet above ground level; (b) shall not be artificially illuminated; (c) shall be freestanding and not attached to a building, tree, utility pole, or fence; (d) shall be set back at least 15 feet from the street line; and (e) shall only be located within the front or side yard area of the property. These signs require no sign permit.

2. Under Section 3330 **Signs Permitted in Business Districts** by adding the following subsection:

3337 Temporary, freestanding political signs, not exceeding in aggregate twenty-four (24) square feet in area, which is designed to influence the action of voters for the passage or defeat of a referendum question or other measure appearing on the ballot of an election duly called in the Town of Chelmsford or designed to influence the action of voters for election of a candidate whose name appears on the ballot of an election duly called in the Town of Chelmsford. Such signs may be erected no sooner than twenty-one (21) days prior to the date of election and must be removed not later than fourteen (14) days after such election. Signs permitted by this by-law: (a) shall not be higher than three feet above ground level; (b) shall not be artificially illuminated; (c) shall be freestanding and not attached to a building, tree, utility pole, or fence; (d) shall be set back at least 15 feet from the street line; and (e) shall only be located within the front or side yard of the property. These signs require no sign permit.

UNDER ARTICLE 14 Thomas E. Firth Jr., Planning Board member moved that the Town vote to amend the Chelmsford Zoning By-Law Article I **Administration and Procedure**, Section 1200 **Administration** b) adding the following subsection:

1260 Non-Criminal Disposition

In addition to the procedure for enforcement as described above, the provisions of this by-law may also be enforced by non-criminal disposition as provided in Massachusetts General Laws, Chapter 40, Section 21D. The penalty for such violation shall be \$25.00 for the first offense, \$50.00 for the second offense, \$100.00 for the third offense, and \$200.00 for the fourth and each subsequent offense.

Town Counsel James Harrington explained that this by-law would allow the Building Inspector to issue tickets for small zoning violations. A discussion followed.

Chairman of the Planning Board, Kim MacKenzie, read the Board's recommendation: The Planning Board held a public hearing on March 13, 1991 and voted to recommend Article #14, as advertised, for the April 1991 Town Warrant at the Planning Board meeting of March 13, 1991 (7-0).

Both the Finance Committee and the Board of Selectmen were in favor of this article. The Moderator asked for a vote by way of a show of hands, motion carried, unanimously.

UNDER ARTICLE 15 Selectman Dennis J. Ready moved that the Town vote pursuant to General Law Chapter 82, Section 21, that public convenience and necessity require that a portion of Douglas Road also known as the Douglas Road Extension, as hereinafter described shall be discontinued and all public rights and all portions of said streets, and/or town ways relative to said street shall be henceforth discontinued and abandoned: said street is more particularly described as follows:

That portion of Douglas Road, as shown of a plan entitled "Proposed Discontinuance Douglas Road Extension ATM 1991 dated March 6, 1991," on file with the Town Clerk.

And moved that the Town vote authorize the Board of Selectmen for consideration to be determined, to convey and transfer, all right, title and interest, if any, held by the town in the above parcel of land located on the discontinued portion of said way/road, to the owners of the property set forth in a covenant to the Town of Chelmsford Planning Board, recorded in the Middlesex North District Registry of Deeds in Book 2881, page 289 and covering said way.

Town Counsel James Harrington explained the article. The Finance Committee and the Board of Selectmen were in favor of the article. The Moderator asked for a show of hands vote. Motion carried.

UNDER ARTICLE 16 Robert Joyce member of the Sewer Commission, moved that the Town vote to authorize the Board of Selectmen and/or the Sewer Commissioners to acquire any and all temporary and/or permanent easements, and any property in fee simple with the buildings and trees thereon by purchase, eminent domain, or otherwise, for the property located in the Town of Chelmsford, Massachusetts, and further described and shown on a set of plans entitled "Plan of Sewer Easements in Chelmsford, Massachusetts, Phase IIB Sewers, prepared for the Chelmsford Sewer Commission March 18, 1991, by Richard F. Kaminski & Associates, Inc.," copy of which is on file in the office of the Town Engineer and is incorporated herein

by reference, for the purpose of constructing and maintaining sewers, pumping stations, and all other appurtenance thereto.

Robert Joyce, vice chairman of the Sewer Commission, read the Board's recommendation:

The easement article is required to allow for the modification of two easements.

The first easement is in the Bisson Street/Frank Street area. The original easement was positioned to allow the sewer to connect Frank Street to Bisson Street through the property of #10 Bisson Street, due to the close proximity of the required construction to the home at #10 Bisson Street, and the potential for damage to the structure during construction, the Commission voted to select an alternative location for the easement through a wooded area west of the nearby homes. Chelmsford Conservation Commission approval was needed for the modification. The second easement is in the Margerite Drive area. The modification to the easement was required by the Chelmsford Conservation Commission in order to mitigate the tree and wetland destruction between Margerite Drive and Tyngsboro Road. Both easements were approved by the Conservation Commission Order of Conditions dated February 28, 1991.

The Finance Committee and the Board of Selectmen recommend the article. The Moderator asked for a vote by way of a show of hands, motion carried, unanimously.

UNDER ARTICLE 17 Selectman Dennis J. Ready moved that the Town vote to accept the following mentioned streets as laid out by the Board of Selectmen and shown by their reports duly filed in the office of the Town Clerk.

1. Nashoba Drive
2. Sarah Lane
3. Virginia Lane

Providing all the construction of the same meets with the requirements of the Board of Selectmen, and subject to the withholding any remaining bonds until such requirements have been met and to see if the town will vote to authorize the Board of Selectmen to acquire any and all temporary and/or permanent easements, and any property in fee simple, with trees thereon, by purchase, eminent domain or otherwise, for the purpose of securing traffic safety and road improvements, and vote that the town raise and appropriate the sum of \$3.00 to defray all necessary costs, fees and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as a result of any such taking; and to see if the town will vote to authorize the Board of Selectmen to negotiate and execute all necessary and proper contracts and agreements thereto.

Selectman Dennis Ready explained the location and showed a view graph of the streets mentioned. The Board of Selectmen and the Finance Committee recommend the article. The Moderator asked for a vote by way of a show of hands, motion carried.

UNDER ARTICLE 18 Philip Currier moved at the request of the petitioners, that the proposed amendment to the existing zoning map as set forth in this article be withdrawn. (Chelmsford Mall property off Chelmsford Street) Landowners will prepare a more detailed plan for consideration by the Planning Board and for presentation to Town Meeting Representatives. (Possibly at the October session of Annual Town Meeting.)

The Moderator asked for a vote by way of a show of hands on the motion to withdraw, motion carried, unanimously.

UNDER ARTICLE 19 Ronald Wetmore, alternate member of the Nashoba Valley Technical High School District, moved that the town vote to accept provisions of Section 12 of Chapter 188 of the Acts of 1985, SCHOOL IMPROVEMENT ACT, in relation to the Equal Educational Opportunity Grant in the amount of seventeen thousand two hundred seven dollars (\$17,207.00) for the Nashoba Valley Technical High School, conditioned upon the funding of said programs by any source other than the Town of Chelmsford, and further conditioned upon, to the extent permitted by law, that said professional grant programs, and any monies paid to any employee of the Nashoba Valley Technical High School, shall not be used or considered a past practice for the purpose of collective bargaining and shall be nonrecurring lump sum payment not built into school employees salary schedules.

The Finance Committee recommends the article, this is an annual article that the Town benefits from. The Board of Selectmen approve of the article. The Moderator asked for a vote by way of a show of hands, motion carried, unanimously.

UNDER ARTICLE 20 Fire Chief Robert L. Hughes moved that the Town vote to accept the provisions of Chapter 291 of the Acts of 1990: an Act concerning enhanced 911 service.

Police Chief Raymond McKeon, briefly explained that passage of this article was required in order to allow the whole Town to be covered by the 911 service, at no cost to the Town. Presently only the phone numbers with a 256, 250 and 251 beginning number are covered directly.

The Finance Committee and the Board of Selectmen recommended the article. The Moderator asked for a vote by way of a show of hands, motion carried, unanimously.

Andrew Silinish moved to adjourn the meeting until Monday, May 6th, at 7:30 PM. The Finance Committee was in favor of the motion to adjourn. The Board of Selectmen were not. The Board wanted to adjourn to Tuesday evening, due to the fact that there was a scheduled public hearing at 6:30 PM and also due to the fact that the Board had to decide about the override questions. It was felt that this could be a lengthy meeting and that the Selectmen would have to adjourn the meeting and be at the McCarthy for the 7:30 PM session of the adjourned Annual Town Meeting, the Board possibility may not be able to finish their scheduled business at hand. More discussion took place. Barbara Ward of the School Committee, said that her Board had a conflict with the Tuesday evening date. The School Committee had scheduled their meeting for that night. Selectman Ready moved to amend the adjournment to be at 8:00 PM on Monday, May 6th at the McCarthy Middle School Gymnasium. The Moderator asked for a show of hands on the motion to adjourn, motion carried.

The meeting adjourned at 11:10 PM.

Dennis E. McHugh,
Moderator

Mary E. St.Hilaire,
Town Clerk

ADJOURNED ANNUAL TOWN MEETING MAY 6, 1991

The Adjourned Annual Town Meeting was called to order at 8:00 PM at the McCarthy Middle School Gymnasium, by the Moderator Dennis E. McHugh. The Moderator recognized the presence of a quorum, there were 139 Representative Town Meeting Members present.

UNDER ARTICLE 21 Selectman Dennis J. Ready moved that the Town vote to amend the General By-Laws by deleting **Article VII, Miscellaneous, Section 9, Sodium Vapor Lamps** in its entirety.

Town Manager Bernard Lynch explained that if the Town changed the street lights throughout the Town there would be a total savings of \$15,000.00. If the lighting in the Historic area which is located in the center of the Town, would be changed to the sodium vapor lights, this area would reflect a \$2,000.00 savings. The lighting area around the Town is being changed over, however, the Historic By-law will not allow the use of the sodium vapor lamps in the district. The lighting is that of the mercury vapor which is expensive to maintain. This is an area that the Town could save some money in and he asked for support of the

article. Robert LaPorte, Chairman of the Historic District, said that the district was against this motion to delete. In 1976 the Town of Chelmsford voted to have a Historic District, and by-laws. In 1983, the Town voted to accept the sodium vapor by-law. The Town should maintain what the Historic District has asked private homeowners/business within the district to use, mercury vapor lighting. There are about 51 lights in question, and according to the Historic Commission's information the savings would only be approximately \$200.00. A lengthy discussion took place, a number of Representatives spoke in favor of the Historic Commission's feelings of maintaining the mercury lighting. They felt that the Board was appointed to maintain the area and that the Town Meeting members should take the advice of the Commission. Just because money can be saved may not necessarily be the right choice. Bernard Lynch mentioned historic areas throughout Massachusetts that had the sodium vapor lighting. David Foner moved the question to stop debate. The Moderator asked for a show of hands vote, which left the Chair in doubt. The following tellers were called forward and a hand count was conducted:

Dorothy Frawley, Patricia Plank, Lucy Simonian, Jean Horgan.

Result of the hand count: Yes 109 No 8— $\frac{2}{3}$'s is 78 motion carried. The Moderator asked for a vote by way of show of hands on the article. Again the Chair was in doubt, a hand count was taken: Yes 84 No 51, motion carried.

UNDER ARTICLE 22 Selectman Dennis Ready moved to dismiss this article. Barbara Scavezze of the Solid Waste Commission explained that this may be brought back at the October meeting if there was a proven need. The Board of Selectmen and the Finance Committee support the motion to withdraw. The Moderator asked for a vote by way of a show of hands, motion carried.

UNDER ARTICLE 23 Jeffrey Brem, member of the Sewer Commission asked for this article to be withdrawn. Robert Joyce of the Sewer Commission spoke against the withdrawal. The Finance Committee and the Board of Selectmen were in favor of the motion to withdraw. The Moderator asked for a vote by way of a show of hands, motion carried.

UNDER ARTICLE 24 Selectman Dennis Ready moved to amend the by-law as shown by deleting subsection 2 in its entirety and subsection 3 shall be #2. It was explained that the need for this by-law was due to the Westland's School being closed one day during the winter months because the sidewalks had been plowed in time for the school opening. It was felt that this could have been avoided if this by-law was passed. There are only two sidewalk plows, the School Department has the Town plow the areas where the students walk first. Any outlining sidewalks are done after the

requested areas. When asked who would enforce this by-law the reply was the Police Department. A discussion took place. Representatives were concerned that the wording would allow the homeowner, who hired a contractor to plow their driveway, would be fined because the contractor left snow in the plowed street. Also if the sidewalk is shoveled off then if someone slips and gets hurt, who is liable, the Town or the homeowner. Town Counsel James Harrington said the homeowner could be held responsible. The Finance Committee supports the motion to amend the article. The Moderator asked for a vote by way of a show of hands on the motion to amend, motion carried. Bruce Harper moved to amend the article by adding the words to the second line or Fire Hydrant or other similar device in the Town so as to impede obstruct, or otherwise adversely affect the unrestricted flow of traffic or conceal any Fire Hydrant or other similar device or the safe travel of any pedestrian on such roadway or sidewalk. The Moderator asked for a vote by way of a show of hands on the motion to amend, motion carried. Joseph Erbacher attempted to amend the article, but the Town Counsel advised against the wording. Concern was discussed about the first paragraph, last sentence, it sounded like an employee of the Town would be allowed to put snow in the streets/sidewalks. Selectman Dennis Ready moved to delete this sentence from the By-law. The Moderator asked for a show of hands on the motion to delete, motion carried. The Moderator read the entire motion as amended:

Selectman Dennis J. Ready moved that the town vote to amend **Article V Streets and Sidewalks** of the General By-Laws by adding **Section 21 "Snow and Ice"** as follows:

1. No person shall pile, push, throw, shovel, or by any other method or means cause snow to be deposited or placed on any public roadway or sidewalk or fire hydrant or other similar device in the town so as to impede, obstruct, or interrupt or otherwise adversely affect the unrestricted flow of traffic or conceal any fire hydrant or other similar device, or the safe travel of any pedestrian on such roadway or sidewalk.
2. Violations of this section of the By-law shall be punishable by a fine of not more than \$25.00 for each violation. Each instance or new day shall constitute a separate violation.

Brad Emerson moved the question to stop any further debate. The Moderator asked for vote by way of a show of hands motion carried, unanimously. He then asked for a vote on the article as amended by a show of hands, motion carried.

UNDER ARTICLE 25 David J. McLachlan, member of the Conservation Commission, moved that the town vote to amend the General By-Laws **Article VI Police Regulations, Section 22; Prohibition of Trapping By**

Means of the Leghold and Conibear Trap by adding a new paragraph as follows:

- (5) Notwithstanding the provisions of this by-law, the Conservation Commission or their authorized agents may use such traps and may destroy any fur-bearing mammals subject to regulation herein, if the Conservation Commission determines that such animals pose a substantial present of potential hazard to public health, welfare, safety, or to the environment.

James McBride explained the article. There is a beaver at the Cranberry Bog who is making a dam and causing problems with the water supply. The Friends of Animals from Rhode Island will trap the beaver, and remove it from the area. A lengthy discussion took place. The Finance Committee was in favor of the article, but questioned the legality of it. Town Counsel assured the body that the wording was legal. Andrew Silinish moved to amend the article by adding a sentence to the last paragraph "and after other trapping means have failed and been documented in each occurrence." The Finance Committee and the Board of Selectmen had no recommendation on the motion to amend. The Moderator asked for a show of hands vote on the motion to amend, motion defeated. The discussion continued. Cheryl Warshafsky questioned, if this was a potential health hazard, why had not the Board of Health been called in to handle the situation already. Director Richard Day said that the Board of Health was unaware of the situation. David McLachlan moved to amend the article. "I move that all restrictive trapping regulations be rescinded." Town Counsel ruled this motion out of order. Edward Hilliard moved the question to stop debate. The Moderator asked for a vote by way of hand count, motion carried, unanimously. He then asked for a hand vote on the article, motion carried.

UNDER ARTICLE 26 David J. McLachlan, member of the Conservation Commission, moved that the town vote to amend the General By-laws **Article XI General Wetland By-law** as follows:

1. Under **Section 15 Fee Schedule** by deleting paragraphs 1 and 2 under **Fees**: which reads:
 - 1) Wetland By-Law Hearing
Dwelling, tennis court, swimming pool, bridge, etc.—\$25.00
 - 2) Multiple Dwelling Units
Commercial & Industrial—\$100.00

and by substituting in their place the following:

The Commission may adopt and impose project review charges in accordance with regulations promulgated pursuant to its authority under Massachusetts General Laws.

- 2) Under **Section 16: Definitions** by adding the following paragraphs:

- (g) The terms "land Under Water Bodies or Waterways," "Vernal Pool Habitat," shall be defined as defined in 310 CRM 10.04
- (h) The term "Lower Floodplain" shall mean the area of land within the statistical 10 year flood or within 100 feet of the bank or boundary vegetated wetland, whichever is further from the waterbody or waterway.
- (i) The term "wildlife" shall mean all mammals, birds, reptiles, amphibians and all vertebrate and invertebrate animal species, except domesticated species.
- (j) The term "Wildlife habitat" shall mean those areas subject to these "by-laws" which due to the plant community composition and structure, hydrologic regime, or other characteristics provide important food, shelter, migratory travel or overwintering areas or breeding areas for wildlife.
- (k) The term "rare species" shall mean those vertebrate and invertebrate animal species officially listed as endangered, threatened, or of special concern by the Massachusetts Division of Fisheries and Wildlife under 321 CMR 8.00 and those plant species listed as rare, threatened, or endangered by the Massachusetts natural Heritage Program

- (3) After **Section 19 Invalidity** by adding a new section as follows:

Section 20 Wildlife Habitat Evaluation

- (1) **Measuring Adverse Effects on Wildlife Habitat**

- a. To the extent that a proposed project will alter vernal pool habitat or will alter other wildlife habitat such alterations may be permitted only if they will have no adverse effects on wildlife or vernal habitat. Adverse effects on wildlife or vernal habitat shall mean the alteration of any habitat characteristic such as food, shelter, migratory breeding and overwintering areas, insofar as such alteration will, follow 2 growing seasons of project completion and thereafter (or, if a project would eliminate trees, upon the maturity of replanted saplings) substantially reduce

its capacity to provide important wildlife and vernal habitat functions. Such performance standards, however, shall not apply to the habitat or rare species. All projects that may impact on rare species must apply through the Massachusetts Natural Heritage and Endangered Species Program at least 90 days prior to the filing of a Notice of Intent.

b. An evaluation by the applicant of whether a proposed project will have an adverse effect on wildlife habitat beyond permissible thresholds shall be performed by an individual with at least a masters degree in wildlife biology or ecological science from an accredited college or university, or other competent professional with at least 2 years' experience in wildlife habitat evaluation.

c. Any wildlife habitat management practices conducted by the Division of Fisheries and Wildlife, and any wildlife management practices of any individual or organization if reviewed and approved in writing by said Division, shall be presumed to have no adverse effect on wildlife habitat. Such presumption is rebuttal, and may be overcome by a clear showing to the contrary.

2. **Wildlife Habitat Characteristics of Inland Resource Areas:**

a. Banks. The topography, soil structure, and plant community composition and structure of banks can provide the following important wildlife habitat functions: food, shelter, migratory wildlife, breeding and overwintering areas of wildlife.

b. Land Under Water Bodies or Waterways. The Plant community and soil composition and structure, hydrologic regime, topography and water quality of land under water bodies or waterways can provide the following important wildlife habitat functions: food, shelter, breeding areas and overwintering areas for wildlife.

c. Vernal Pool Habitat. The topography, soil structure, plant community composition and structure, and hydrologic regime of vernal pool habitat can provide the following important wildlife

habitat functions: food, shelter, migratory, breeding, and overwintering areas for wildlife.

d. Lower Flood Plans. The hydrologic regime, plant community, and soil composition and structure, topography, and proximity to water bodies and waterways of lower floodplains can provide the following important wildlife habitat functions: food, shelter, migratory, overwintering and breeding areas for wildlife.

James McBride, chairman of the Conservation Commission explained the article. The Board of Selectmen and Finance Committee supported the article. The Moderator asked for the need of discussion, hearing none he asked for a vote by show of hands, motion carried, unanimously.

UNDER ARTICLE 27 Selectman Dennis Ready moved that the Moderator be allowed to waive the reading of this article. The Moderator asked for a vote by a show of hands, motion carried, unanimously. The article was the adoption of state statutes as fire rules and regulations. The Board of Selectmen and Finance Committee were in favor of the article. The Moderator asked for a vote on the article by way of a show of hands, motion carried. The article reads as follows:

Fire Chief Robert L. Hughes, moved that the Town vote to amend the General By-laws as follows:

1. By deleting **Article V Streets & Sidewalks Section 18 Street Numbers** in its entirety.

2. By adding **Article XIII—Fire By-laws** as follows:

Article XIII—Fire By-Laws

Section 1 Purpose

The following bylaws are intended to provide the fire department with authority to monitor and enforce fire safety and prevention measures within the Town of Chelmsford.

Section 2 Definitions

1. **Alarm**—Any notification made to the fire department that a situation exists or may exist that requires a response.

2. **Fire Alarm System**—A combination of compatible initiating devices, control panels, and indicating appliances designed and installed to provide an alarm signal in the event of a fire.

3. **Unintentional Fire Alarm**—An alarm caused by any of the following:

- a) inadequate or improper maintenance of a private fire alarm system; or
 - b) working on or tampering with a fire alarm system without giving proper notification to the fire department; or
 - c) failure to control dust, steam, smoke or other materials causing an alarm
4. **Master Box**—A municipal fire alarm box tht may also be operated by remote means.
5. **Multiple Dwelling**—Any dwelling that contains three or more living quarters, including but not limited to hotels, motels, dormitories, apartments, condominiums, lodging and boarding houses, and care facilities.
6. **Street Box**—A municipal fire alarm box that is operated manually.
7. **Set Back**—The distance from a public or private way to the front of a given building. A parking lot shall not be considered a public or private way for purposes of this section.
8. **Service Station**—Any building or premises wherein or upon which gasoline or other motor fuel is sold at retail.
- a) **Full self-service facility.** A service station where all the pumps are self-service.
 - b) **Self-service type business.** As used in these by-laws, shall mean that type of business wherein the licensed motor vehicle operator dispenses his own motor fuel.
 - c) **Split-island facility.** A motor fuel dispensing installation where part of the facility is used as self-service and part is used for attendant service.
9. **Garage**—Any building wherein is kept or stored one or more motor vehicles; including but not limited to a public or private garage, car port, motor vehicle repair shop or paint shop, service station, lubritorium, or any building used for similar purposes.
- a) **Residential garage.** A private building, or part thereof, having a capacity of not more than three (3) motor vehicles when not used for commercial repair or servicing operations.
 - b) **Special garage.** A special structure limited in use to the parking of motor vehicles.

Section 3 Street Numbers

1. The Board of Selectmen or its designee may determine and designate numbers for all buildings abutting upon or adjacent to public and private ways.
2. No person shall neglect or refuse to affix on any building owned by him the street number designated for him by said Board or its designee, nor shall any person affix or suffer to remain on the building owned or occupied by him a street number other than the one designated by said Board or its designee.
3. All numbers shall comply with the following shedule:

Set back (defined in Section 2)	Minimum Number Size
0-50'	3"
50-100'	4"
greater than 100'	6"

4. Street numbers shall be affixed in locations approved by the fire chief or his designee and where possible the following locations shall be mandatory:
 - a) If a set back is less than 200 feet, the number shall be placed near the front or main door of the building provided that the door is visible from a public or private way.
 - b) If a setback is greater than 200 feet, or if the main or front door is not visible from the public or private way, the street numbers must be affixed to a sign posted near the driveway or entrance to the property in such a manner so that the sign is visible year round.
5. If several occupancies share a single address, each doorway shall be numbered with a street number and unit number. The unit number shall include all units served by the marked doorway. The street numbers shall comply with the schedule outlined in paragraph 3 and in all cases the unit numbers shall be 2" or higher.
6. Street numbers shall be a color that contrasts with the background upon which they are mounted. If a signboard is used for a background it shall be a minimum of one square foot per digit.

Section 4 Owner/Manager Information

1. An owner of a multiple dwelling who does not reside therein and who does not employ a

manager or agent for such dwelling who resides therein, shall post and maintain or cause to be posted or maintained on such dwelling, adjacent to the mailboxes for such dwelling or on the exterior of such dwelling in a location visible to the public, a notice, not less than twenty square inches in size, bearing his name, address, and telephone number or the name, address, and telephone number of such manager or agent.

2. The owner of said multiple dwelling shall submit annually before January 31st, the address of the dwelling, the name of the dwelling if any, the name of the trust, association, or organization if any, which manages or owns the dwelling, the names, addresses, and telephone numbers of all owners and managers. Such information shall be provided in a form approved by the Fire Department.

Section 5 Municipal Master Box/Street Box

1. Any owner of property applying for a tie-in to the municipal fire alarm system shall first obtain a permit, on a form provided by the Fire Department prior to the installation of a master box or street box as those terms are defined in Section 1. Each tie in permit shall cost \$100.00.
2. Any violation of this section shall be punishable by a fine of \$100.00 for each offense. Each day that any violation continues shall constitute a separate offense.

Section 6 Existing and New Sprinkler Systems/Tie In

1. All new and existing buildings with sprinkler systems shall be connected to the municipal fire alarm system via a master box connection. All buildings which fall into this category shall make connection no later than June 30, 1992.
2. Any violations of this section shall be punishable by a fine of \$200.00 for each offense. Each day that any violation continues shall constitute a separate offense.

Section 7 Unintentional Fire Alarms

1. The owner of any building which has a fire alarm system shall only be allowed three unintentional fire alarms, as that term is defined in Section 2, per calendar year.
2. After the third unintentional fire alarm the owner shall be fined \$50.00 and shall be fined \$100.00 for each additional offense thereafter. Each day that any violation continues shall constitute a separate offense.

Section 8—Operation of Service Stations, Garages used for Commercial Purposes, Self Service Stations including Convenience Stores

1. Electrical Wiring and Heating

1. Artificial lighting of a garage shall be only by means of electric lights. All electrical work and equipment shall be installed in accordance with Massachusetts Electrical Code 527 CMR 12.00.
2. In the case of a garage, other than a residential garage, heated by a central heating unit located on or below the garage floor, such unit shall be located in a room separated from the garage by a fire partition and all openings therein shall be protected by either fire doors or fire windows. A garage may be heated by gas, oil, electric unit heater(s) and/or central heating units located in the heated area without fire partitions, provided that such equipment is located not less than eight (8) feet above the garage floor, and in the case of gas or oil the combustion chamber of such heater shall be properly vented to the outer air. The hot air from a central heating unit shall enter the garage not less than four (4') feet above the floor level of the garage. The return air registers of any duct distribution system connected to unit heater, central heater or warm air furnaces shall be located not less than four (4') feet above the garage floor. No space heaters (as defined in 527 CMR 4.00) shall be permitted.
3. Heating equipment may be installed in non-residential motor vehicle repair or parking areas where there is no dispensing or transferring of Class I or II flammable liquids (as defined in NFPA 30, Flammable and Combustible Liquids Code), or liquefied petroleum gas, provided the bottom of the combustion chamber is not less than 18 in. (.5m) above the floor, the heating equipment is protected from physical damage by vehicles, and continuous mechanical ventilation is provided at the rate of .75 cfm/sq. ft. (.75m³/min per m²) of the floor area. The heating system and the ventilation system shall be suitably interlocked to ensure operation of the ventilation system when the heating system is in operation.
4. In the case of a residential garage, any heater or appliance unit may be located on the garage floor provided the source of ignition from combustion chambers, motors, etc., shall be located not less than six (6) inches above the

floor level. In the case of a residential garage having a floor below surrounding grade, the combustion chamber or ignition source of any heater or appliance unit shall be raised not less than eighteen (18) inches above the floor level. Any heater or appliance unit installed in a residential garage shall be suitably protected from physical damage as directed by the authority having jurisdiction. No space heaters (as defined in 527 CMR 4.00) shall be permitted.

2. Operation and Maintenance

1. Suitable receptacles filled with sand or other nonflammable absorbent material, to be used in absorbing waste oil, shall be constantly kept on the floors of every garage having a net floor area of more than one thousand (1,000) square feet; and at least one metal pail filled with sand, for use in case of fire, shall be provided for every one thousand (1,000) square feet of floor area.
2. A pit for greasing, lubricating, washing or wheel alignment purposes may be permitted, provided such pit is of a sufficient area and so constructed as to permit ready escape therefrom in case of emergency. No such pit shall, in any case be used for repair purposes on gasoline powered vehicles.
3. All garages shall be kept clean and shall be provided with a sufficient number of self-closing metal receptacles in which all combustible waste material shall be kept until removed from the building.
4. A fire extinguisher shall be provided for every garage of one thousand (1,000) square feet of floor area and an additional fire extinguisher shall be provided for every additional two thousand (2,000) square feet of floor area. Such extinguishers shall be of an approved* type for an oil fire, located as directed by the head of the fire department, and not less than 4B rating. The maximum travel distance to reach such an extinguisher shall not exceed fifty (50) feet.

The protection requirements may be fulfilled with extinguishers of higher ratings provided the maximum travel distance to such larger extinguisher shall not exceed seventy-five (75) feet.

*NOTE: Any fire extinguisher listed with a nationally recognized testing laboratory will be considered approved.

5. No person shall smoke in a garage, service station, or on the premises where gasoline or other motor fuels are sold or dispensed and notices to that effect, in block letters not less than two (2) inches in height shall be conspicuously posted at the entrance to and within the garage or on said premises, and on each pump island visible to approaching vehicles; provided, however, that smoking may be allowed in a separate room as approved by the head of the fire department.
6. No wood shall be used in the construction of a locker in a garage having a net floor area of more than two thousand (2,000) square feet.
7. No gasoline or other motor fuel shall be delivered to or taken from a motor vehicle while the engine thereof is running. This does not apply to tank trucks making deliveries by power.
8. No gasoline or Class A flammable fluid shall be used for cleaning purposes or kept in any open receptacle for any purpose.
9. All tanks used for the storage or sale of gasoline in connection with a garage or service station shall be made of standard open-hearth steel tank plate, or may be constructed of materials other than standard open-hearth steel tank plate when approved by the State Fire Marshal, and shall be constructed, installed and located in accordance with the provisions of 527 CMR 9.00.
10. No gasoline pump shall be located above the street floor of a garage, nor shall gasoline be handled above the street floor unless the garage is a building of first-class construction.
11. No motor vehicle shall be supplied with gasoline while in a garage in any other way than by means of a hose from either a portable tank or direct from a storage tank.
12. Any person, firm or corporation installing dispensing pumps for gasoline or other motor fuel in gasoline stations shall provide adequate protection against physical damage to said dispensing pumps.
13. Each portable gasoline tank used in a garage shall not exceed fifty-five (55) gallons in capacity, shall be mounted on a substantial iron or steel frame with rubber-tired wheels, and shall be equipped with a suitable hose not exceeding sixteen (16) feet in length, having a shut-off valve located near the pump connection.

The shut-off valve shall be kept closed when not in use.

14. Any portable or permanent electrically operated gasoline dispensing system authorized under 527 CMR 5.04 (11) and 5.04 (13) shall, in addition to the safety devices already required be protected by a heat activated shutoff switch, which will shut off the pump automatically when the temperature reaches 165°F. This switch shall be located within two (2) feet of the ceiling and within ten (10) feet of the location of the nozzle discharge.
15. No gasoline shall be delivered to the tank of any motor vehicle from a storage tank except by means of a hose equipped with an approved self-closing nozzle which shall be held open manually while making delivery or by an approved automatic shut-off nozzle, and no such delivery shall be made except by the owner-operator or a duly authorized employee, except as otherwise provided in 527 CMR 5.04 (16). No gasoline shall be delivered into a portable container having a maximum capacity of seven (7) gallons or less which is not labeled in accordance with the pertinent provisions of 527 CMR 5.04 (18).
16. The dispensing of motor fuel by means of self-service automated dispensing systems shall be permitted, provided that the applicant for such a system has submitted complete plans and specifications of the proposed installation to the State Fire Marshal accompanied by the required examination fee as authorized in Section 3B of Chapter 7, M.G.L., inserted by Chapter 684 of the Acts of 1975, and has obtained approval of said plans, and further provided that there is compliance with the following: full self-service facility may be allowed provided that:
 - a. The service station is under the control of the owner, operator, or duly authorized employee who shall be on duty at all times while motor fuel is being sold or dispensed.
 - b. The motor fuel shall be dispensed only by a competent licensed motor vehicle operator or by the service station attendant.
 - c. In addition to 527 CMR 5.04 (5) and (8), approved signs bearing the words "Extinguish All Smoking Materials" and "Stop Motor While Refueling" shall be conspicuously posted at both ends of the pump dispensing island visible to approaching vehicles. All approved signs re-

quired by these regulations shall consist of block letters not less than two (2) inches in height and be either red letters on a white background or white letters on a red background.

- d. The controlling mechanism console providing power to the pump motor is in constant attendance by the owner, operator or duly authorized employee at all times while motor fuel is being dispensed and is properly protected against physical damage from motor vehicles. Constant attendance shall mean that the console operator must be at the console during its operation.
- e. There is constant contact between the controlling mechanism console operator and the pump island by means of an inter-communication system which shall be maintained in proper operating condition at all times while motor fuel is being dispensed.
- f. A means is provided for the controlling mechanism console operator to observe the filling operation at each vehicle, and the dispensing of motor fuel shall be continuously observed by the console operator during the time that any of the pumps have been activated to dispense motor fuel.
- g. The controlling mechanism console includes a disconnect switch which will instantly cut off all pumping power to all motor fuel pumps at the service station.
- h. The controlling mechanism console, switches, and related equipment are of a design and type approved by the State Fire Marshal.
- i. Any person, firm, or corporation constructing a self-service facility or making changes or alterations in the method of dispensing motor fuel shall notify the head of the fire department, in writing, prior to submitting plans to the State Fire Marshal.
- j. Self-service automated motor fuel dispensing system for which plans have been submitted subsequent to June 20, 1975, shall be equipped with a fire extinguishing system of a type approved by the State Fire Marshal, details of which shall be included with plans submitted to the State Fire Marshal for approval.

- k. Motor fuel shall be dispensed only by means of an approved automatic shut-off nozzle which shall be held open manually. Hold-open clips shall not be allowed on self-service nozzles. Split-island facility may be allowed provided that:
 - l. There shall be installed on the full service islands an additional switch which will activate the overhead fire suppression system on, and deactivate power to, the self-service island.
 - m. The station operator shall be within 25 feet of one of the switches as defined in (2) (a) whenever the self-service dispensing mechanism is in operation.
 - n. Whenever the self-service dispensing mechanism is in operation, the service station operator shall be within visual range of the filling operation, complying with 527 CMR 5.04 (16) (a), 5.04 (16) (b), 5.04 (16) (c), 5.04 (16) (g), 5.04 (16) (h), 5.04 (16) (i), 5.04 (16) (j), and 5.04 (16) (k).
17. No gasoline shall be handled outside of storage tanks or portable gasoline tanks except in approved safety cans or approved metal or plastic containers, and they shall be kept tightly closed except when in use. Containers used for the handling and storage of gasoline in garages shall have a total quantity not to exceed fourteen (14) gallons, and no such container shall have a capacity in excess of seven (7) gallons.
18. No person shall sell or offer for sale any container having as capacity of seven (7) gallons or less which in any way is represented as suitable for the storage and/or transportation of gasoline or kerosene unless such container has been approved by the state Fire Marshal and has permanently affixed thereon a statement of approval, an approval number, and the date of approval as issued by the State Fire Marshal. Gasoline container shall be red in color approved by the State Fire Marshal and shall bear the word "Kerosene." Lettering on both containers shall be permitted. This rule shall not apply to those containers constructed and tested in accordance with Underwriters Laboratories (UL) Metal Safety Can standard 30 or Factory Mutual (FM) Safety Can Standard 6051/6052 for the storage and handling of small quantities of flammable and combustible liquids.
19. No gasoline or other petroleum products shall be allowed to flow upon the floor of or into the drainage system of a garage.
20. No tank wagon or tank truck used for the transportation of gasoline, oil, or other petroleum products shall be kept in any portion of a garage unless the garage is used exclusively for the keeping of such vehicles or unless the portion so used is separated from the rest of the garage by a fire wall. The provisions of this rule need not apply provided all vehicles kept in the garage are the property of one owner.
21. No tank that has been used for the keeping or storage of gasoline shall be removed or relocated except as provided in Section 38-A, Chapter 148 of the General Laws, as amended.
22. All openings in barrels or drums which have once contained Class A flammables shall be kept tightly closed at all times, except when being refilled, emptied or repaired.
- ### 3. General Provisions
- 1. All garages and the manner of keeping, storing or using gasoline in connection therewith shall be subject to the inspection of any member of the Department of Public Safety, and the head of the fire department or his assistants.
 - 2. In the event of a leak, rupture, spill, overflow or other accident involving the handling of flammable liquids, the head of the fire department shall be notified immediately.
 - 3. All underground storage facilities except fuel oil tanks and containers connected with burning equipment shall be installed and monitored for the prevention and detection of leakage of flammable and combustible liquids in accordance with the following provisions:
 - a. Accurate daily inventory records by means of dip sticking shall be maintained and reconciled on all flammable or combustible liquid underground storage tanks for indication of possible leakage from said tanks or piping. The records shall be kept on the premises available for inspection by any member of the Department of Public Safety, and head of the fire department or his designee, and shall include, as a minimum, records showing type of product, daily reconciliation between sales, use, receipts and inventory on hand. If there is more than one system consisting of a tank(s), serving pump(s) or dispenser(s) for any product, the reconciliation shall be maintained separately for each tank system.

- b. Daily inventory shall be maintained for each tank system at each location by the operator. The inventory records shall be kept for a minimum of the past twelve (12) months at the premises. The operator shall mean the lessee or person(s) in control of and having responsibility for the daily operation of the facility for the storage and dispensing of flammable and combustible liquids.
- c. Inventory shall be based on the actual daily measurement and recording of tank product and water levels and the daily recording of actual sales, use, and receipts. Daily measurements will be acceptable either by gauge, gauge stick, or by readout from an automated gauging system. The inventory records shall include a daily computation of gain or loss. The mere recording of pump meter readings and product delivery receipts shall not constitute adequate inventory records.
- d. The operator of the location shall be responsible to notify the head of the fire department of situation, and to notify the owner or person(s) in control of the facility to take action to correct any abnormal loss or gain not explainable by spillage, temperature variations or other causes. The owner shall mean the person(s) who owns, as real property, the tank storage system used for the storage and dispensing of flammable and combustible liquids.
- e. As a minimum the following steps shall be taken in an expeditious manner when daily inventory records indicate an abnormal loss:
 1. The inventory records shall be checked for error.
 2. If no error is apparent, an independent calculation of apparent loss shall be made by a qualified person starting from a point in time where the records indicate a no loss condition.
 3. If step 2 confirms no apparent loss, the readily accessible physical facilities on the premises shall be carefully inspected for evidence of leakage.
 4. If step 3 does not disclose a leak, the dispensers used with the particular product involved with the apparent loss shall be checked for calibration.
 5. If steps 1 through 4 do not explain the apparent loss, the situation shall be reported promptly to the authority having jurisdiction.
 6. If step 4 does not explain the loss, and if the piping system can be tested without the need for excavation, the piping system between the storage tank and dispenser(s) shall be tested in accordance with 527 CMR 9.06 (20) (a). If it is necessary to excavate to perform a piping test, such a test shall be conducted after a storage tank test has been performed in accordance with step 7.
 7. If step 6 does not disclose a leak, the storage tank(s) shall be tested for tightness by an approved test.
 8. If steps 1 through 7 do not confirm the apparent loss, the daily inventory shall be continued with a daily independent verification by a qualified person. Additional surveillance of the facility should be engaged to ensure against unauthorized removal of product.
 9. If any of the above tests or investigations indicate the source of the loss, the owner shall take immediate action to correct the system failure.
- f. Daily inventories need not be maintained on those days that an installation is not in operation, but not to exceed fifteen (15) days.
- g. The owner and operator will conduct an inventory verification program on a scheduled basis, at least once every two (2) years. A copy of the record of this verification program shall be kept on the premises available for inspection by any member of the Department of Public Safety, or head of the fire department or his designee.

NOTE: Upon the cessation of the exercise of a license, the holder of said license shall notify the local licensing authority and the head of the fire department in his area or district. The head of the fire department shall prescribe rules to eliminate hazardous conditions incident to such cessation as provided in 527 CMR 10.12 (2).

4. The owner or operator of any self-service type business as that term is defined in Section 2, shall comply with all restrictions appearing on any and all plans submitted to and approved by the Chelmsford Fire Department and the State Fire Marshal, including but not limited to any and all restrictions concerning the number of employees who must be on the premises during operating hours.
5. Any violation of this section shall be punishable by a fine of one hundred dollars (\$100.00) for each offense. Each day that any violation continues shall constitute a separate offense.

Section 9—Tanks and Containers

1. Definitions.

Abandoned, out of service for a continuous period in excess of six months in the case of a storage facility which a license from the local licensing authority is required under the provisions of M.G.L. c. 148, s. 13, and for a period in excess of twenty-four months in the case of any other storage facility.

Approved, approved by the State Fire Marshal.

Board, the Board of Fire Prevention Regulations.

Cathodic protection, a system which inhibits the corrosion of a tank or its components either through the sacrificial anode or the impressed current method of creating a corrosion-inhibiting electrical current. (Reference: API (American Petroleum Institute) Publication 1632—First Edition 1983).

Commissioner, the Commissioner of Public Safety.

Components, piping, pumps, and other related storing, conveyancing, and dispensing elements which, together with one or more tanks and any cathodic protection or monitoring system, constitute a storage facility.

Consumptive use, fuel oil used exclusively for area heating and/or the heating of domestic water on the premises where stored.

Corrosion Expert, a person who, by reason of thorough knowledge of the physical sciences and the principles of engineering and mathematics acquired by a professional education and related practical experience, is qualified to engage in the practice of corrosion control on buried or submerged metal piping systems and metal tanks. Such person shall be accredited or certified as being qualified by the National Association of Cor-

rosion Engineers (NACE) or be a Massachusetts registered professional corrosion engineer. The corrosion expert shall follow applicable NACE criteria.

Department, the Department of Public Safety.

Double-walled tank, a container with two complete shells which provide both primary and secondary containment. The container shall have a continuous three hundred sixty degree (360°) interstitial space between the primary and secondary shell. The interstitial space shall be designed so that an approved interstitial space monitor is able to continuously monitor this space. All double-walled tanks shall be UL-listed.

Engineer, a Massachusetts registered professional engineer.

European Suction System, an underground suction piping system which is sloped back to the tank so that the contents of the piping will drain back into the tank if the suction is released, and only one check valve is used which is located directly under the dispenser.

Existing facility, a facility whose construction, installation or operation began prior to the effective date of the revised edition of 527 CMR 9.00 printed and effective December 31, 1986.

Flammable liquid, any liquid occurring at normal temperature and pressure which will emit a vapor which can be ignited by a flame or spark.

Flammable liquids, covered by these regulations are divided into the following three classes:

Class A, any flammable liquid having a flash point below one hundred degrees Fahrenheit (100°F), to be ascertained by any standard closed-cup instrument.

Class B, any flammable liquid having a flash point of not less than one hundred degrees Fahrenheit (100°F) nor higher than one hundred eighty-seven degrees Fahrenheit (187°F), to be ascertained by any standard closed-cup instrument.

Class C, any flammable liquid having a flash point above one hundred eighty-seven degrees Fahrenheit (187°F) to be ascertained by any standard, closed-cup instrument.

Fuel oil, oil of grades 1, 2, 4, 5, and 6 established in accordance with M.G.L. c. 94, s. 249H.

Head of the fire department, the fire chief or other top ranking official of the local fire department.

Leakage or leak, any uncontrolled movement, measurable by a final or precision test, as described in the current Pamphlet No. 329 of the National Fire Protection Association, which can accurately detect a leak of 0.10 gallons per hour with the probability of detection of 0.99, and the probability of false alarm of 0.01. (NOTE: The Massachusetts Department of Environmental Protection requires notice if a tightness test indicates a failure of 0.05 gallons per hour or greater.)

Marshal, the State Fire Marshal.

Monitoring system, a full-time approved system installed for the purpose of early detection of leaks, such as observation wells, visual or audible alarms, or their equivalent. Minimum standards of in-tank monitoring systems shall consist of in-tank equipment which provides continuous monitoring of any liquid from the tank at a minimum rate of 0.10 gallons per hour or more over a six-hour period with the probability of detection of 0.99, and the probability of false alarm of 0.01.

Observation well, a dug or drilled cased well which can be used for detecting the presence of flammable liquids, which is drilled to a depth intercepting the water table, and which is installed and maintained in an approved manner.

Operator, the lessee of a storage facility, or the person or persons responsible for the daily operation of a storage facility.

Out of service, not in use in that no filling or withdrawal is occurring.

Owner, the person or persons or government entity having legal ownership of a storage facility.

Person, any agency or political subdivision of the Federal Government or the Commonwealth of Massachusetts; any state, public or private corporation or authority, individual, trust, firm, joint stock company, partnership, association, consortium, joint venture, or other commercial entity; and any officer, employee or agent of said person, and any group of said persons.

Pipeline, any trunk pipeline within the Commonwealth for the transportation of flammable liquids.

Product line leak detector, a device designed to detect product or pressure losses in a pressurized product line of a remote pumping station.

p.s.i., pounds per square inch gauge.

Qualified person, a representative certified by the manufacturer of the product being installed or tested.

Remote pumping system, a pressurized product line system in which flammable liquids are supplied to a point away from the tank by means of a pumping unit.

Replacement and substantial modification, a construction of any additions to an existing storage facility, or any restoration, reburishment, or renovation which significantly impairs or affects the physical integrity of the storage facility or its monitoring system.

Secondary containment or equivalent protection, techniques that may include impervious liners, double-walled tanks, or equivalent methods approved by the Marshal.

Storage facility, one or more tanks at a particular site, together with all components thereof, used or designed to be used for the storage of any product within the scope of this regulation.

Tank, any structure either underground or aboveground used or designed to be used for the storage of any product within the scope of this regulation; as well as any aboveground structure in excess of 10,000 gallons capacity used or designed to be used for the storage of any fluid except water.

UL-listed, included in a current list or report of approved equipment, materials, or methods published by Underwriters Laboratories, Inc.

Underground storage, where 10% or more of the tank volume and piping is buried below the ground surface but which shall not include storage is a freestanding container within a building.

Water supply, any raw or finished source that is presently used, reserved for future use, or under investigation for future use by a public water supply as defined in 310 CMR 22.02, or used as a source of private drinking water by one or more persons. This shall include all land and/or waters used as a tributary to a public water system except those under 310 CMR 22.22.

Zone 2 (Zone of Contribution), that area of an aquifer which contributes water to a well under the most severe recharge and pumping conditions that can be realistically anticipated. It is bounded by the groundwater divides which result from pumping the well and by the contact of the edge of the aquifer with less permeable materials such

as till and bedrock. At some locations, streams and lakes may form recharge boundaries. Specific criteria for the determination of Zone 2 may be obtained from "Guidelines for Public Water Systems" by the Massachusetts Department of Environmental Quality Engineering, Division of Water Supply.

2. Dikes and Fire Protection for Aboveground Tanks

1. The Commission or head of the Fire Department or his designee may require any tank to be enclosed by a substantial dike constructed of metal, earth, clay or reinforced concrete, to be no higher than half the height of the highest tank enclosed, forming a retaining basin not less than the capacity of the largest tank plus 10% of the aggregate capacity of all other tanks within the enclosure.
2. A dike surrounding a tank containing fluid susceptible to boilover shall form a retaining basin having a capacity of not less than 125% of the capacity of the tank or group of tanks surrounded. Unless means are available for extinguishing a fire in a tank, dikes and walls enclosing tanks containing fluid susceptible to boilover shall be provided at the top with a flareback section designed to turn back a boilover wave.
3. The total gallonage of a group of tanks to be enclosed in any one diked area shall not exceed 6,300,000 gallons, and any single tank in excess of this amount shall be separately diked.
4. Such an embankment or dike shall be made of clay-core gravel fill, masonry, reinforced concrete, or other approved material. An earthwork embankment or dike shall be firmly and compactly built of clean earth from which stones, vegetable matter, etc., have been removed and shall have a flat top not less than 3 feet in width and slope at least $1\frac{1}{2}'$ to 1' on both sides. Small tanks with capacities not over 25,000 gallons each may be grouped and an embankment or dike built around the group of tanks. Embankments or dikes shall be continuous with no openings for piping or roadways. Piping shall be laid over or under the embankments or dikes.
5. No building shall be located within the diked area.
6. The Commissioner or head of the Fire Department or his designee may require any tank to be provided with such connections for fire ex-

tinguishing purposes as he may deem necessary.

7. First-aid fire control appliances shall be provided in such quantity and so located as the head of the fire department may prescribe.

3. Underground Piping

1. All new and replacement piping shall be installed with secondary containment which may include impervious liners, double-walled piping, or equivalent methods approved by the Marshal. If a suction system is used with a check valve under the dispensing pump and the piping is pitched to the tank, secondary containment of new or replacement piping shall not be required. (Reference: 527 CMR 9.11 (3).
2. All new or replacement piping shall be constructed of noncorrodible materials such as fiberglass reinforced plastic (FRP) or its equivalent, or shall be protected against corrosion by the use of a steel system cathodically protected by impressed current or sacrificial anodes or by some other type of equivalent protection. (Reference: 527 CMR 9.15 (6).
3. Product lines shall be installed in a trench between the tank area and the pump island. Similarly, underground vent lines shall be installed in a trench.
4. Before underground piping is installed, the trench shall receive a minimum 6-inch deep bed of well-compacted non-corrosive material such as clean washed sand or gravel. All trenches shall be wide enough to permit at least 6 inches of noncorrosive backfill material around all lines.
5. All pipes connected to such tanks shall lead from the tops of tanks, and the tops of all tanks shall be below the level of the lowest horizontal pipe used in the connection therein except where the design specifically prevents a possible syphoning condition with the approval of the head of the fire department.
6. All pipes used for the conveyance of flammable liquid shall decline to tanks without traps or pockets, and shall be protected against injury. Piping drops from submerged pumps to allow piping decline to the tank shall not be considered a trap.
7. Underground copper piping or tubing shall not be used on new or replacement piping installations unless the copper piping or tubing is adequately protected against physical dam-

age and protected from corrosion. Copper piping or tubing shall only be allowed for use as a product line when installed in an installation covered by 527 CMR 4.00.

8. At marine fueling facilities where tanks are at an elevation which produces a gravity head on the dispensing unit, the tank outlet shall be equipped with a device, such as a solenoid valve, positioned adjacent to, and downstream, so installed and adjusted that liquid cannot flow by gravity from the tank in case of piping or hose failure when the dispenser is not in use.
9. A double elbow swing joint or flexible connector shall be installed at all locations where piping changes direction from horizontal to vertical or from vertical to horizontal.

4. Underground Tank Installation

1. No new or replacement tank or piping shall be installed, whether as part of a new or existing storage facility, unless the owner has given notice of its installation to the head of the fire department; and no new or replacement tank or piping shall be buried or concealed until it has been inspected for damage and external defects, and has been approved by the head of the fire department or his designee. A tightness test on all new or replacement tanks and piping shall be done after the installing, backfilling and surfacing to grade have been completed, this test shall be of both the tank and the piping.
2. No new or replacement tank shall be installed except by a contractor who has been certified in writing by the manufacturer or a petroleum equipment association as qualified for the purpose. The contractor shall, prior to any installation, submit to the head of the fire department a copy of such certificate.
3. The installation of a new or replacement tank, including anchoring of the tank, shall be carried out in accordance with the manufacturer's recommendation, accepted engineering practices, and the provisions of 527 CMR 9.10, provided that the backfill material for FRP (fiberglass reinforced plastic) tanks shall be pea gravel or crushed stone and the backfill material for all other tanks shall be either pea gravel or clean noncorrosive sand free of cinders, stones, and any other foreign material with the material under the tank to be compacted and the balance to be placed in uniform lifts and to be thoroughly compacted.
4. Any damage to the exterior of the tank or its coating shall be repaired before the tank is covered.
5. Every new or replacement tank and its piping shall be tested separately, at the owner's expense, prior to its being buried. The tank shall be tested by air pressure not less than 3 lbs. and not more than 5 lbs. per square inch. The piping shall be tested hydrostatically (or by air pressure) to 150% of the maximum anticipated pressure of the system but not less than 50 lbs. per square inch gauge at the highest point of the system. After the tank and piping have been fully buried, all subsequent testing of the underground tanks shall be done in accordance with the provisions of Pamphlet No. 329 Chapter 4-3.11 of the National Fire Protection Association, or other test equivalent or superior accuracy. The owner shall furnish the head of the fire department with a certified copy of all testing required by 527 CMR 9.13 which the fire department shall keep with the records of the storage facility.
6. Steel tanks completely underground shall be covered with a minimum of 2 feet of earth or shall be covered with not less than one foot of earth, on top of which shall be placed a slab of reinforced concrete not less than 4 inches thick. When they are or are likely to be subjected to traffic, they shall be protected against damage from vehicles passing over them by at least 3 feet of earth cover, or 18 inches of well-tamped earth plus 6 inches of reinforced concrete or 8 inches of asphaltic concrete. When asphaltic or reinforced concrete paving is used as part of the protection, it shall extend at least one foot horizontally beyond the outline of the tank in all directions.
7. An underground storage tank used for the storage of a Class A flammable liquid, if within 10 feet of a building having a cellar or basement shall be placed below the level of the floor of such cellar or basement.

5. Leak Detection Equipment, Testing and/or Inventory Requirements for Underground Tanks

1. Fuel oil tanks used exclusively for consumptive use, waste oil tanks, and hazardous waste tanks shall be exempt from 527 CMR 9.11(2), 9.12, and 9.13 (Reference: 527 CMR 5.00, and 310 CMR 30.00 "Hazardous Waste Regulations").
2. All other tanks shall satisfy one of the three following options.

- a. Mandatory inventory record keeping as defined in 527 CMR 9.12 in addition to periodic tightness testing as defined in 527 CMR 9.13.
 - b. The installation and maintenance of an approved in-tank monitoring system installed and maintained by a qualified person.
 - i. The operator shall prepare, reconcile, and maintain daily inventory control records for each tank and for every combination of interconnected tanks. This inventory shall be taken by the use of the in-tank monitor for the purpose of prevention and early detection of leaks. (Reference: 527 CMR 9.12)
 - ii. At the close of each calendar month, the operator shall use the in-tank monitor over a continuous period of six hours to determine any loss of product. A loss of 0.10 gallons per hour or more over a six-hour period with the probability of detection of 0.99 and a probability of false alarm of 0.01 shall constitute a leak.
 - iii. If the above-mentioned procedure is followed and the tank is considered tight, then the requirements for tank tightness testing in 527 CMR 9.13 shall be considered as being complete.
 - iv. At the end of each calendar month, the operator shall take a measurement to determine if any water has entered the underground storage tank. This measurement shall be recorded and any excess of water shall be removed. (Reference: 527 CMR 9.12)
 - c. The installation of an approved double-walled tank, an interstitial space monitoring system, and liquid removal port.
 - i. This installation shall be exempt from the requirements of tank tightness testing in 527 CMR 9.13 provided that the continuous monitor is installed and maintained by a qualified person.
 - ii. If the monitor activates, whether a trouble or an alarm mode, the owner or operator shall immediately notify the local fire department.
 - iii. At the close of each calendar month, the operator shall take a measurement to determine, if any water has entered the underground storage tank. This measurement shall be recorded and any excess of water shall be removed. (Reference: 527 CMR 9.12)
 - 3. Double-walled tanks with an approved interstitial space monitoring system as well as piping with secondary containment shall be required for new or replacement tanks and piping when a sole source aquifer area designated by the U.S. Environmental Protection Agency is underlying the location. All new or replacement piping shall be continuously monitored for product loss.
 - 4. The owner and/or operator of every storage facility shall keep all records of cathodic protection monitoring, leak detection monitoring, inventory records, and any other records required by this regulation for the remaining operating life of the facility. These records shall be made readily available upon request of the Office of the State Fire Marshal and/or the head of the fire department or his designee.
- 6. Inventory Methods for Underground Tanks**
- 1. The operator of every new and existing storage facility shall prepare, reconcile and maintain daily inventory records for each tank and for each combination of interconnected tanks with a common level of product (hereinafter, a combination), for the purpose of prevention and early detection of leaks. The preparation, reconciliation, and maintenance of such records shall be done in accordance with the provisions of 527 CMR 5.05 (3) as amended, with the following additions and modification:
 - a. At the close of each calendar month, the operator shall determine, for that month and for each tank or combination, the number of days in which any amount of product was dispensed and the number of days in which a loss of product was recorded. These records shall include the inspection details on monitoring wells and leak detection systems.
 - b. An abnormal loss of product for any tank or combination shall mean a loss not explainable by spillage, temperature variations or other causes, in excess of 0.5% of the volume of product dispenses over a period of a calendar month. (Reference:

API Publication 1621, Third Edition, 1977 as provided in 527 CMR 5.05 (3) (d).

- c. In the event of any abnormal loss of product, the following steps shall be taken, with the investigation not to stop until the discrepancy has been found, the tank has been tested, repaired or replaced, or the entire procedure has been completed.
 - i. Inventory input and output records shall be checked by the owner of the tank for arithmetical error.
 - ii. Inventory shall be checked by the owner of the tank for error in measurement.
 - iii. If the abnormal loss is not reconcilable by steps (i) and (ii) or cannot be affirmatively demonstrated to be the result of theft, the accessible parts of the storage system shall be checked for damage or leaks.
 - iv. Monitoring wells and leak detection systems shall be checked for signs of a discharge.
 - v. Calibration of the inventory measuring system and any dispensers shall be checked.
 - vi. The entire storage system, excluding the vent but including joints and remote fill lines, shall be tested in accordance with the applicable sections of 527 CMR 9.00.
 - vii. If a discharge, leak, or threat of release is discovered, the requirements of the applicable sections of 527 CMR 9.20 shall be met by the owner of the tank.
- d. An abnormal gain of water shall be a gain in the water level inside any tank of more than one inch in a 24-hour period.
- e. In the event of any abnormal gain of water, the owner shall at the owner's expense, have the water removed from the tank and disposed of in a manner as directed by the Department of Environmental Quality Engineering (DEQE) and have the water checked 24 hours later during which time no product shall be added.
- f. Apart from abnormal gains of water, the owner of any tank in which water has ac-

cumulated to a depth of 3 inches or more shall at the owners' expense, have the water removed and disposed of in a manner as directed by DEQE.

- g. For every storage facility covered by the inventory control requirements of 527 CMR 9.12, the operator shall maintain record on the premises available for inspection by any member of the Department of Public Safety or the head of the fire department or his designee, in accordance with 527 CMR 5.05 (3) (a); and the inventory records shall be kept on the premises for a minimum of the prior 12 months, in accordance with 527 CMR 5.05 (3) (b).
2. The negative voltage of every cathodic protection system equipped with a test wire and/or box that is part of the facility shall be recorded, inspected and tested by a qualified person at least annually. If any such system does not have adequate negative voltage or is otherwise defective, the owner shall have the system repaired promptly by a qualified person. For purposes of this subsection, the term "adequate negative voltage" shall mean a negative voltage of at least -0.85 volts if a copper-copper sulfate reference electrode is used, and of at least $+0.25$ volts if a zinc reference electrode is used when measured in accordance with NACE RP-01-69-83 criteria and its most recent revision, or other criteria contained in NACE RP-01-69-83. If an electrical impressed current corrosion protection system has been installed, it shall be operated and maintained by a person with sufficient training and experience to insure that no release occurs during the operating life. All impressed current systems shall be inspected every sixty (60) days to insure that the equipment is operating properly.
 3. For failure to comply with 527 CMR 9.12, see 9.13 (6).
- 7. Testing for Tightness of Underground Storage Facilities**
1. The owner of every new or existing storage facility shall have all new or replacement piping tested, at the owner's expense, in accordance with this section during a period of 12-24 months after the date of installation.
 2. If any testing discloses a leak or a loss which is not reconcilable, the operator and the owner shall comply immediately with the requirements of 527 CMR 9.20, and the head of the fire department may direct the owner,

at the owner's expense, to have all other tanks on the premises and their components tested in the same manner.

3. The owner of every existing storage tank which does not have an acceptable form of leak detection (Ref: 527 CMR 9.24 (4)), but which does have a spill containment manhole and an overfill prevention device shall have the tank tested at the owner's expense during the 5th, 10th, and 15th year after installation and at five year intervals thereafter until 1998.
4. The owner of every existing storage tank which does not have an acceptable form of leak detection (Ref: 527 CMR 9.24 (4)), and which does not have a spill containment manhole and an overfill prevention device shall have the tank tightness tested at the owner's expense on an annual basis until 1998.
5. Every existing suction piping system not of European design shall either have secondary containment with an approved interstitial space monitoring system or shall be tested during the 3rd, 6th, and 9th year after installation and at three year intervals thereafter.
6. With respect to any tank to which the inventory control requirements of 527 CMR 9.12 are applicable, the head of the fire department shall require the operator to have it and its piping promptly tested, at the owner's expense, whenever the operator fails to prepare, reconcile, and maintain the daily inventory records or fails to perform the required monthly calculations.
7. The head of the fire department may require the owner of any existing tank to have it and its piping tested, at the owner's expense, in any case in which the owner has failed to make timely application for a permit as required under 527 CMR 9.26.
8. Except for testing performed on a tank and its piping prior to their being covered, a tank shall be tested by any final or precision test not involving air pressure which can accurately detect a leak of 0.10 gallons per hour with a probability of detection of 0.99, and a probability of false alarm of 0.01, and which has been approved by the Marshal.
9. All tests shall be approved and administered by qualified persons, and any such persons shall notify the head of the fire department prior to administering a test.

10. The owner of every existing pressurized piping system which is not monitored through the use of soil monitors at the end of every calendar month minimum shall have the piping tested, at the owner's expense, on an annual basis.
11. Every existing pressurized piping system which has secondary containment and an approved interstitial space monitor shall be exempt from tightness testing of the piping.
12. The person performing any test under 527 CMR 9.13 shall promptly supply the owner and the head of the fire department with certified copies of all test results for a tank and its piping. The head of the fire department shall keep his copy with the records of that storage facility.

8. Response to leaks

1. In the event of a leak, whether determined by testing or otherwise, the following steps shall be taken:
 - a. The operator shall immediately notify the owner.
 - b. The owner or operator shall immediately notify the head of the local fire department and the Office of Incident Response of the Department of Environmental Quality Engineering (OIR-DEQE).
 - c. If testing has confirmed that the source of the leak is the piping for a particular tank, the operator shall take that tank out of service immediately.
 - d. If testing has confirmed that the source of the leak is a particular tank, the owner shall within 24 hours cause that tank to be emptied of all its product.

9. Tanks Abandoned or Temporarily Out of Service

1. If the owner decides to abandon a tank which is either located under a building and cannot be removed from the ground without first removing the building or which is so located that it cannot be removed from the ground without endangering the structural integrity of another tank, the owner shall notify the head of the fire department of this condition. After verification that such condition so exists, the owner shall have all product removed from the tank, by hand pump if necessary, under the direction of the head of the fire

department, and shall have the tank filled with a concrete slurry mix or any other inert material approved by the Marshal for this purpose.

2. Except as provided in 527 CMR 9.22 (1), no tank may be abandoned in place. Any owner of a tank who has decided to abandon it and any owner of a tank which has been out of service for a period of time constituting abandonment as defined in 527 CMR 9.02, shall immediately obtain a permit from the head of the fire department pursuant to M.G.L. c. 148, s. 38A, and, subject to the directions of the head of the fire department, shall have any product removed from the tank, all openings properly secured, and the tank removed from the ground. The product and tank shall be disposed of in accordance with 310 CMR 30.00 "Hazardous Waste Regulations," at the owner's expense, as directed by the head of the fire department.
3. The owner of every tank licensed under M.G.L. c. 148, which the owner has decided to take out of service for a period of less than six months, shall promptly notify the head of the fire department of the decision, shall have all product removed from the tank and disposed of in accordance with 310 CMR 30.00 "Hazardous Waste Regulations," as directed by the head of the fire department, and shall have all openings properly secured and the tank rendered inert. Before any such tank may be restored to service, the owner of the tank shall notify the head of the fire department, who may require that the owner have the tank and its piping tested, at the owner's expense, in accordance with the provisions of 527 CMR 9.13 (8), (9), and (10)

10. Tank Removal

1. Any person granted a permit by the Marshal or the head of the fire department to remove a tank under the provisions of M.G.L. c. 148 or 527 CMR 9.00, shall within 72 hours provide the permit-granting authority with a receipt for delivery of said tank to the site designated on the permit
2. Before any person is granted a permit by the Marshal or the head of the fire department to remove a tank under the provisions of M.G.L. c. 148, or 527 CMR 9.00, and said tank is not being transported to an approved tank yard, the person requesting the permit shall provide the permit-granting authority with written approval for the designated site of disposition. (Reference: 502 CMR 3.00 for tank removal and disposal procedures)

11. Inspection

Any person applying for a permit to remove one (1) or more tanks which have an individual capacity greater than 2,000 gallons shall be required to have a Chelmsford Fire Department Firefighter on the site observing a tank removal. The Firefighter must be on site from the time the tank is uncovered until the tank has left the site for proper disposal. The Firefighter will be paid detail rate by the person applying for the permit through the town of Chelmsford and will be paid a minimum detail of 4 hours. A minimum notice of 12 hours shall be required for this detail.

12. Upgrading of Existing Underground Storage Tank Systems

1. Fuel oil tanks utilized exclusively for consumptive use on the premises shall be exempt from the requirements of 527 CMR 9.24 (4) through (13).
2. all existing underground storage tanks shall be retrofitted with a spill containment manhole and an overfill prevention device on or before May 30, 1993 unless the storage tank is required to be upgraded with Stage II Vapor recovery in accordance with 310 CMR 7.00 before that date. On all tanks which are required to implement Stage II Vapor recovery before May 30, 1993 a spill containment manhole and an overfill prevention device shall be installed and operational on the date Stage II Vapor recovery is to be in effect in accordance with 310 CMR 7.00. Fuel oil tanks of 1,100 gallons or less capacity utilized exclusively for consumptive use on the premises shall be exempt from the retrofit of a spill containment manhole, provided the tank was installed before January 1, 1989.
3. An overfill prevention device shall be designed so as not to preclude the ability to perform any required tightness test on the tank and piping. The following options are acceptable:
 - a. A device which shall automatically shut off flow into the tank when the tank is no more than 95 percent (95%) full.
 - b. A device which shall alert the individual delivering product when the tank is no more than 90 percent (90%) full by restricting the flow into the tank or triggering a high-level alarm.
4. All tanks shall be equipped with leak detection. The following methods are acceptable:

- a. A double-walled tank with an approved interstitial space monitor.
- b. An approved in-tank monitor which shall be utilized in accordance with 527 CMR 9.11 (2) (b).

The following schedule shall be required for the upgrade of leak detection on existing underground storage tanks. If this schedule is not complied with, see 527 CMR 9.24 (5), (6) and (7).

IF THE TANK WAS INSTALLED	LEAK DETECTION REQUIRED BY 12/22
Before 1969 or unknown	1990
1970-1974	1991
1975-1979	1992
1980-Dec. 1988	1993

- 5. If the tank does not have leak detection installed, in accordance with the above-mentioned upgrade schedule, but has a spill containment manhole, overfill prevention device, and cathodic protection, the tank shall be tightness tested during the 5th, 10th, and 15th year after installation, and at five-year intervals until 1998.
- 6. If the tank does not have leak detection installed in accordance with the schedule in 527 CMR 9.24 (4) and does not have a spill containment manhole, overfill prevention device, and cathodic protection, the tank shall be tightness tested on an annual basis until 1998.
- 7. If the tank does not have leak detection installed by December 22, 1998, the owner/operator shall have the tank removed from the ground on or before December 22, 1998.
- 8. All pressurized piping shall meet one of the following requirements by December 22, 1990:
 - a. If the piping has secondary containment, an approved interstitial space monitor may be used.
 - b. An automatic flow restrictor, an automatic shutoff device, or a continuous alarm system shall be installed. These devices shall accurately detect a leak of three gallons per hour with the probability of detection of 0.99 and a probability of false alarm of 0.01. If this option is utilized, the piping shall be required to be tightness tested on an annual basis, or monthly monitoring for vapors in the soil shall be performed and documented.

- 9. If a European Suction System is used, leak detection is not required on the piping.
- 10. If a suction system is used which is not a European Suction System, one of the following leak detection options shall be required for the piping:
 - a. If the piping has secondary containment, an approved interstitial space monitor shall be used.
 - b. A tightness test shall be conducted every three years.
- 11. If the facility has unprotected steel tanks and/or piping, they shall be retrofitted with cathodic protection by December 22, 1998. Until cathodic protection has been added, an annual tightness test shall be required if the tank and/or piping do not have cathodic protection by December 22, 1998 the owner/operator shall have the tank and piping removed from the ground or or before December 22, 1998.
- 12. A tightness test shall be done on both the tank and piping within one month before adding cathodic protection as well as six to twelve months after cathodic protection has been added.
- 13. The provisions of 527 CMR 9.26 (4) shall be complied with when adding any of the above-mentioned devices.
- 14. Written notification shall be given to the head of the fire department before upgrading begins clearly describing what devices will be installed.

13. Permits

- 1. Either the original or photographic copy of all permits granted under the provisions of 527 CMR 9.00 shall be conspicuously posted or kept on the premises.
- 2. **New Storage Facilities:**
 - a. No storage facility shall be installed unless the owner shall first have obtained a permit from the head of the fire department. This permit shall be in addition to any license or any other permit required by M.G.L. c. 148, or by any regulations issued thereunder.
 - b. The application for a permit shall be on a form obtained from the head of the fire

department and shall include the following information and any other information he or the Department may require:

- i. Name, address, and telephone numbers (day and night) of the owner.
 - ii. Name, address and telephone numbers (day and night) of the operator.
 - iii. The number of tanks in the proposed facility and the capacity of each proposed tank.
 - iv. The proposed type of construction of each tank and its piping, together with the tank's approval number if any, and a description of any provisions made for cathodic protection, electrical isolation, and early detection of leaks through a monitoring system.
 - v. The depth below ground level of the lowest and highest points of each proposed tank.
- c. In a storage facility with more than one proposed tank, the applicant shall furnish the head of the fire department with a certificate signed by a qualified person stating that the proposed facility meets all the design requirements of 527 CMR 9.00.
 - d. The applicant shall also furnish a plot plan of the site and the area surrounding it, showing the location of each proposed tank and its components and of any building on the site, the approximate location of any public or private well and of any body of surface water within 500 feet of the proposed storage facility.
 - e. The head of the fire department may require secondary containment or equivalent protection for new installations where groundwater below the facility is within Zone II (Zone of Contribution) of municipal water wells, or where private potable water wells or a water supply reservoir is within 300 feet of the tank installation.

3. Existing Storage Facilities:

- a. The owner of every underground storage facility installed prior to May 9, 1986, shall apply to the head of the fire department for a permit to maintain the storage facility. Application shall be made on

forms obtained from the head of the fire department.

- b. The applicant shall furnish a plot plan to scale of the facility site and the area surrounding it, showing the location of each tank and its components and of any building on the site, and the approximate location of any public or private well and of any body of surface water within 500 feet of the storage facility. Legend notes shall include, to the extent available to the owner, the following information and any other information required by the head of the fire department.
 - i. Name, address, and telephone numbers (day and night) of the owner.
 - ii. Name, address, and telephone numbers (day and night) of the operator.
 - iii. The number of tanks in the facility and the capacity and contents of each tank.
 - iv. The type of construction for each tank and its piping, together with a description of any provisions made for cathodic protection, electrical isolation, and early detection of leaks through a monitoring system.
 - v. The date of installation of each tank.
- c. The owner shall furnish evidence of the date of installation. Such evidence may include, but is not limited to, a copy of any license or permit issued by the local licensing authority and the head of the fire department. If no substantial evidence of the date of installation is supplied, the tank shall be presumed to have been installed 20 years prior to May 8, 1986.
- d. The following storage facilities shall be exempt:
 - i. Farm or residential tanks of 1100 gallons capacity or less used for storing motor fuel for noncommercial purposes.
 - ii. Residential or commercial tanks storing or having stored heating oil (fuel oil) for consumptive use on the premises.

- e. The filing deadline for a permit to maintain an existing storage facility is May 8, 1986.

4. Replacement or Substantial Modification:

- a. There shall be no replacement of a tank or its components or substantial modification of any storage facility unless the owner has first applied for and obtained approval in writing from the head of the fire department who shall keep a copy of his approval with the records for that storage facility.
- b. Any application for approval under 527 CMR 9.26 (4) shall be in writing and shall clearly describe the type of construction of any replacement tank or component of the modification that is proposed.
- c. Any application to add cathodic protection to an existing storage facility using one or more steel tanks shall be accompanied by a design plan prepared by corrosion expert which plan is to include provisions for a test box to allow measurement of electrical potential and current flow.
- d. If the head of the fire department determines that the proposed replacement or modification constitutes a danger to a public or private well, aquifer, recharge area or body of surface water, or for any other reason, the head of the fire department may deny the application or approve it subject to conditions that he may deem necessary to protect such public or private water supply.
- e. No replacement or substantial modification shall be made except by a contractor who has been certified by the manufacturer as qualified for that purpose.
- f. The head of the fire department may require that existing tanks other than those used for heating purposes shall be equipped with observation wells or other detection systems if in his opinion the location of the tanks could jeopardize safety of the public.

5. Renewal of Permits and Changes of Ownership:

- a. The owner of any new or existing facility for which a permit has been issued under 527 CMR 9.26 (2) and (3) must apply to the head of the fire department for

renewal of the permit at 5-year intervals from the date on which the original permit was granted. The application for renewal must include any changes required under 527 CMR 9.26 (1) (b) and (2) (a). No application for renewal may be denied except for violations of 527 CMR 9.00 and in accordance with the procedural requirements of 527 CMR 9.25 (2).

- b. The owner of any storage facility shall within seven working days notify the head of the fire department of any changes in the name, address, or telephone numbers of the owner or of the operator. In the case of any transfer of ownership, the new owner shall be responsible for the notification of this transfer.

14. Installation of Aboveground Waste Oil Storage Tanks

1. Permanent Storage Outside a Building

- a. Shall be limited to five hundred (500) gallon capacity if the tank is adjacent to a building or other structure). For quantities in excess of 500 gallons capacity, the tank(s) shall be located a minimum of twenty-five feet (25') from any building or structure and shall require a license in accordance with M.G.L. c. 148, s. 13, in addition to a permit from the head of the fire department.
- b. Shall require a permit to install, maintain, and store from the head of the fire department.
- c. Shall be located at least five feet (5') from any building openings.
- d. Shall have a containment dike capable of containing one hundred ten percent (110%) of the capacity of all product within the dike.
- e. The tanks, based upon the building's occupancy, shall be protected against damage from vehicular traffic. The type of protection shall be steel posts, I-beams, or similar protection at the discretion of the head of the fire department.
- f. For security purposes, a fence or an enclosure capable of being locked shall be erected to prevent unauthorized filling of the tank. If the tank does not have a fence or enclosure, the fill shall be capable of being locked.

- g. The tanks shall be vented and the vents shall be a minimum of 1½" in diameter. Vents shall terminate not less than twelve feet (12') above the adjacent ground level and shall be so located that vapors will not be trapped by eaves or other obstructions and shall be at least five feet (5') from any building opening.
- h. The tank fill shall be located on the top of the tank and be a minimum of 1½" in diameter.
- i. The fill shall be a funnel-type hopper fill large enough to prevent dripping and spillage when filling. The funnel-type hopper shall have a tight-fitting hinged or chained cap which shall be closed when not in use.
- j. The port used for pumping out the tank shall be located on the top of the tank. The fill and the port used for pumping out shall not be the same port.
- k. The support for waste oil tanks shall be of noncombustible material and capable of supporting the superimposed load; and the tank shall be secured against settling, sliding, or lifting.
- l. All tanks shall be UL-listed and shall conform to the design criteria in 527 CMR 9.00.
- m. Each tank in which hazardous waste is being accumulated shall be clearly marked and labeled throughout the period of accumulation with the following:
 1. The words "HAZARDOUS WASTE."
 2. The hazardous waste identified in words (e.g., WASTE OIL).
 3. The type of hazard associated with the waste indicated in words (e.g., TOXIC).
 4. The date on which each period of accumulation begins in that tank.

NOTE: Marks and labels shall be placed on the sides of each tank in such a manner that they are clearly visible for inspection.

- n. Underlying all aboveground tanks in which hazardous waste is accumulated shall be a surface that is designed and at all times operated so that it's free of cracks and gaps and is sufficiently impervious to contain leaks, spills, and accumulated

precipitation until the collected hazardous waste tanks shall be placed so that all the surface beneath each such tank can be inspected for spills and structural integrity.

- o. The tank shall have a heavy protective coating of some rust-resisting material.
- p. All tanks and associated piping shall be installed by a qualified person. This shall include certified burner technicians as well as licensed petroleum system installers.
- q. Waste oil tanks shall be tested by the manufacturer for tightness by being subjected to five pounds (5 lbs.) pressure, and shall have securely affixed thereto a metal tag certifying such test and which has legibly indicated thereon the maker's name.
- r. The head of the fire department may allow for alternative means of compliance provided the design is satisfactory and complies with the intent of this and other applicable regulations.

2. Permanent Storage Inside a Building

- a. Shall be limited to five hundred (500) gallons capacity.
- b. Shall require a permit to install, maintain, store from the head of the fire department.
- c. Shall be located at least five feet (5') from exits. Overhead garage doors shall not be considered exits.
- d. Shall have a drip pan or accidental spill containment at the discretion of the head of the fire department. The drip pan or spill containment is for minor spills and shall not be considered a dike. No containment diking is required.
- e. The tank, based upon the occupancy of the building, shall be protected against damage from vehicular traffic. The type of protection shall be steel posts, I-beams, or similar protection at the discretion of the head of the fire department.
- f. The tank shall be vented to the outside of the building.
- g. Vents shall be a minimum of 1½" in diameter. Vents shall terminate not less than twelve feet (12') above the adjacent

ground level and shall be so located that vapors will not be trapped by eaves or other obstructions and shall be at least five feet (5') from any building opening.

- h. The tank fill shall be located on the top of the tank and be a minimum of 1½ inches in diameter.
- i. The tank fill shall be a funnel-type hopper fill large enough to prevent dripping and spillage when filling. The funnel-type hopper shall be a tight-fitting hinged or chained cap which shall be closed when not in use.
- j. The port used for pumping out the tank shall be located on the top of the tank. The fill and the port used for pumping out shall not be the same port.
- k. The support for waste oil tanks shall be of noncombustible material and capable of supporting and superimposed load; and they shall be secured against settling, sliding or lifting.
- l. All tanks shall be UL-listed and shall conform to the design criteria in 527 CMR 9.00.
- m. Each tank in which hazardous waste is being accumulated shall be clearly marked and labeled throughout the period of accumulation with the following:
 - 1. The words "HAZARDOUS WASTE."
 - 2. The hazardous waste identified in words (e.g., WASTE OIL).
 - 3. The type hazard associated with the waste indicated in words (e.g., TOXIC).
 - 4. The date on which each period of accumulation begins in that tank.

NOTE: Marks and labels shall be placed on the sides of each tank in such a manner that they are clearly visible for inspection.

- n. Underlying all aboveground tanks in which hazardous waste is accumulated shall be a surface that is designed and at all times operated so that it is free of cracks and gaps and is sufficiently impervious to contain leaks and spills until the collection material is detected and removed. All aboveground hazardous waste tanks shall be placed so that all the sur-

face beneath each such tank can be inspected for spills and structural integrity.

- o. The tank shall have a heavy protective coating of some rust-resisting material.
- p. All tanks and associated piping shall be installed by a qualified person. This shall include certified burner technicians as well as licensed petroleum system installers.
- q. Waste oil tanks shall be tested by the manufacturer for tightness by being subjected to five pounds (5 lbs.) pressure, and shall have securely affixed thereto a metal tag certifying such test and which has legibly indicated thereon the marker's name.
- r. The head of the fire department may allow for alternative means of compliance provided the design is satisfactory and complies with the intent of this and other applicable regulations.

3. Removable Storage Inside a Building

- a. Shall be limited to 165 gallon capacity.
- b. Shall require a permit to install, maintain, and store from the head of the fire department.
- c. Shall be located as far as possible from exits. Overhead garage doors shall not be considered exits.
- d. Shall have a drip pan or accidental spill containment at the discretion of the head of the fire department. The drip pan or spill containment shall not be considered a dike. No containment diking is required.
- e. The container(s), based upon the occupancy of the building, shall be protected against damage from vehicular traffic. The type protection shall be steel posts, I-beams, or similar protection at the discretion of the head of the fire department.
- f. A funnel-type hopper fill large enough to prevent dripping and spillage when filling shall be on site and used during filling procedures.
- g. At the discretion of the head of the fire department, emergency relief venting shall be installed on all containers.

- h. When not in use, the container(s) shall be capped vapor tight.
- i. Each tank in which hazardous waste is being accumulated shall be clearly marked and labeled throughout the period of accumulation with the following:
 1. The words "HAZARDOUS WASTE."
 2. The hazardous waste identified in words (e.g., WASTE OIL).
 3. The type hazard associated with the waste indicated in words (e.g., TOXIC).
 4. The date on which each period of accumulation begins in that tank.

NOTE: Marks and labels shall be placed on the sides of each tank in such a manner that they are clearly visible for inspection.

- j. Underlying all aboveground tanks in which hazardous waste is accumulated shall be a surface that is designed and at all times operated so that it is free of cracks and gaps and is sufficiently impervious to contain leaks and spills until the collection material is detected and removed. All aboveground hazardous waste tanks shall be placed so that the surface beneath each such tank can be inspected for spills and structural integrity.
- k. The location of the removable container(s) shall be specified by the head of the fire department.
- l. The head of the fire department may allow for alternative means of compliance provided the design is satisfactory and complies with the intent of this and other applicable regulations.

15. Automotive Lubrication Service Centers

1. The following applies to the storage of flammable fluids within an automotive lubrication service center when the storage is to be in tanks installed aboveground. When the quantities to be stored are in excess of five hundred (500) gallons aggregate, the following rules shall apply.
 - a. The aggregate capacity of all aboveground storage tanks shall be limited to a maximum of six thousand (6,000) gallons.
 - b. No individual tank shall have a capacity in excess of one thousand (1,000) gallons.

- c. The maximum amount of waste oil storage on the site shall be two thousand (2,000) gallons aggregate.
- d. A license shall be required in accordance with M.G.L. c. 148, s. 13.
- e. A permit to install, maintain, store shall be obtained from the head of the fire department.
- f. The tanks shall be located in a separate room (known as the storage room) from the main work area by a two-hour fire-rated concrete block wall or other acceptable separation.
- g. The storage room shall be equipped with a fixed fire suppression system designed and installed in accordance with NFPA 17.
- h. The entrance to the storage room shall have a threshold a minimum of twelve inches (12") high with a two-hour fire-rated door closed when not in use.
- i. The storage room shall be large enough to act as a containment dike capable of containing one hundred ten percent (110%) of the largest tank capacity plus ten percent (10%) of the aggregate amount of all other tanks.
- j. All tanks shall be vented to the outside of the building. Waste oil tank vents shall be a minimum of 1½ inches in diameter and shall terminate not less than twelve feet (12') above the adjacent ground level and shall be so located that vapors will not be trapped by eaves or other obstructions and shall be at least five feet (5') from any building opening.
- k. The support for the tank(s) shall be of noncombustible material and capable of supporting the superimposed load; and the tank shall be secured against settling, sliding or lifting.
 - l. All tanks shall have a heavy protective coating or some rust-resisting material. All tanks should be UL-listed and shall conform to the design criteria in 527 CMR 9.00.
 - n. All tanks shall be tested by the manufacturer for tightness by being subjected to five pounds (5 lbs.) pressure, and shall have securely affixed thereto a metal tag certifying such test and which has legibly

indicated thereon the manufacturer's name.

- o. All tanks and associated piping shall be installed by a qualified person.
- p. Each tank in which hazardous waste is being accumulated shall be clearly marked and labeled throughout the period of accumulation with the following:
 - 1. The words "HAZARDOUS WASTE."
 - 2. The hazardous waste identified in words (e.g., WASTE OIL).
 - 3. The type hazard associated with the waste indicated in words (e.g., TOXIC).
 - 4. The date on which each period of accumulation begins, marked on each tank at the time accumulation begins in that tank.

NOTE: Marks and labels shall be placed on the sides of each tank in such a manner that they are clearly visible for inspection.

- q. Underlying all aboveground tanks in which hazardous waste is accumulated shall be a surface that is designed and at all times operated so that it is free of cracks and gaps and is sufficiently impervious contain leaks and spills until the collection material is detected and removed. All aboveground hazardous waste tanks shall be placed so that all the surface beneath each such tank can be inspected for spills and structural integrity.
- r. The waste oil tank(s) shall be equipped with a valve which will close when the tank has been filled to within ninety-five percent (95%) of its capacity to prevent further filling of the tank or shall be equipped with an audible high level alarm which shall sound when the tank(s) has been filled to within ninety-five percent (95%) of its capacity.
- s. The basement shall be constructed entirely of noncombustible materials, including storage racks and platforms.
- t. The basement shall be provided with a mechanical ventilation system capable of providing a minimum of six air charges per hour with duct openings located not less than 6 inches nor more than 12 inches above the floor.

- u. The basement area shall have proper means of egress in accordance with the Massachusetts State Building Code.
- v. The oil and lube oil pumps and product delivery lines shall not be left under pressure when the lubrication center is not open for business unless a protective device is installed that will prevent continuous pumping of product in the event of a line or pipe rupture.
- w. The head of the fire department may allow for alternative means of compliance provided the design is satisfactory and complies with the intent of this and other applicable regulations.

- 16. **Any violation of this section shall be punishable by a fine of two hundred dollars (\$200.00) for each offense. Each day that a violation continues shall constitute a separate offense.**

Section 10 Rules and Regulations

The Fire Chief may make such rules and regulations not inconsistent with the provisions of this By-Law, as may be necessary to promulgate a comprehensive fire safety code.

Section 11 Administration

- 1. The provisions of this By-Law shall be enforced by the Fire Chief or his designee and the Fire Chief shall, in addition to any other remedy available, have full power to initiate non-criminal disposition proceedings as set forth in **Article I General Provision, Section 2** of the General By-Laws.
- 2. Except for those sections specifying a greater penalty, any violation of the provisions of this Article shall be punished by a fine of \$50.00, each day any violation continues shall constitute a separate offense.

Section 12 Severability

It is hereby declared that the provisions of this By-Law are severable, and if any provisions of this By-Law shall be declared unlawful by a valid judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining provisions of this By-Law.

UNDER ARTICLE 28 Selectman Dennis Ready moved to withdraw the article. Town Manager Bernard Lynch explained due to there being no free cash at hand at this time, this article must be withdrawn. The Moderator asked for a show of hands, motion carried, unanimously.

Seeing that there was no further business at hand, the Moderator declared the Annual Town Meeting adjourned, sine die. The meeting adjourned at 10:25 PM.

Dennis E. McHugh,
Moderator

Mary E. St.Hilaire,
Town Clerk

TOWN WARRANT FOR SPECIAL TOWN ELECTION JUNE 4, 1991

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

To the Constable of the Town of Chelmsford:

GREETING:

In the name of the Commonwealth you are here by required to notify and warn the Inhabitants of said Town who are qualified to vote in Elections to vote at:

- Precinct 1: Town Offices Gymnasium, 50 Billerica Road
- Precinct 2: Harrington School Gymnasium, 120 Richardson Road
- Precinct 3: Harrington School Gymnasium, 120 Richardson Road
- Precinct 4: Westlands School Cafeteria, 170 Dalton Road
- Precinct 5: Byam School Cafetorium, 25 Maple Road
- Precinct 6: Westlands School Cafeteria, 170 Dalton Road
- Precinct 7: McCarthy Middle School Small Gymnasium, 250 North Road
- Precinct 8: McCarthy Middle School Small Gymnasium, 250 North Road
- Precinct 9: Town Offices Gymnasium, 50 Billerica Road

On Tuesday, the fourth day of June, 1991, from 12:00 noon to 8:00 p.m. to vote on the following questions:

Question No. 1:

Shall the Town of Chelmsford be allowed to assess an additional \$950,000 in real estate taxes and personal property taxes for the purpose of providing additional funds for public education for the fiscal year beginning July first nineteen hundred and ninety-one?

YES
NO

Question 2:

Shall the Town of Chelmsford be allowed to assess an additional \$150,000 in real estate taxes and personal property taxes for the purpose of providing additional funds for Police Department Salaries for the fiscal year beginning July first nineteen hundred and ninety-one?

YES
NO

Question No. 3:

Shall the Town of Chelmsford be allowed to assess an additional \$307,000 in real estate and personal property taxes for the purpose of providing additional funds for Fire Department salaries for the fiscal year beginning July first nineteen hundred and ninety-one?

YES
NO

Question No. 4:

Shall the Town of Chelmsford be allowed to assess an additional \$203,500 in real estate and personal property taxes for the purpose of providing additional funds for recycling services for the fiscal year beginning July first nineteen hundred and ninety-one?

YES
NO

Question No. 5:

Shall the Town of Chelmsford be allowed to assess an additional \$96,665 in real estate and personal property taxes for the purpose of providing additional funds for library salaries (\$66,176) and library expenses (\$30,489) for the fiscal year beginning July first nineteen hundred and ninety-one?

YES
NO

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said election.

Given under our hands this 9th day of May, A.D. 1991.

BOARD OF SELECTMEN
OF TOWN OF CHELSMFORD

Dennis J. Ready, Chairman
William R. Logan, Vice Chairman
Richard E. DeFreitas, Clerk
Henrick R. Johnson, Jr.
Roger A. Blomgren

SPECIAL TOWN ELECTION JUNE 4, 1991

QUESTION 1 (SCHOOL)	Prec 1	Prec 2	Prec 3	Prec 4	Prec 5	Prec 6	Prec 7	Prec 8	Prec 9	TOTAL
BLANKS	5	12	6	14	4	11	9	6	5	72
YES	566	504	802	517	776	741	804	564	734	6,008
NO	502	508	465	541	478	571	489	512	483	4,549
TOTAL	1,073	1,024	1,273	1,072	1,258	1,323	1,302	1,082	1,222	10,629
QUESTION 2 (POLICE)										
BLANKS	14	7	17	10	10	16	21	15	16	126
YES	442	415	621	430	577	583	627	431	537	4,663
NO	617	602	635	632	671	724	654	636	669	5,840
TOTAL	1,073	1,024	1,273	1,072	1,258	1,323	1,302	1,082	1,222	10,629
QUESTION 3 (FIRE)										
BLANKS	20	8	15	11	12	22	23	12	13	136
YES	456	411	693	420	555	577	655	440	537	4,744
NO	597	605	565	641	691	724	624	630	672	5,749
TOTAL	1,073	1,024	1,273	1,072	1,258	1,323	1,302	1,082	1,222	10,629
QUESTION 4 (RECYCLING)										
BLANKS	16	16	16	15	14	13	22	12	16	140
YES	454	336	625	361	612	615	640	399	580	4,622
NO	603	672	632	696	632	695	640	671	626	5,867
TOTAL	1,073	1,024	1,273	1,072	1,258	1,323	1,302	1,082	1,222	10,629
QUESTION 5 (LIBRARY)										
BLANKS	11	11	9	13	10	15	12	10	14	105
YES	487	451	704	414	667	651	696	458	640	5,168
NO	575	562	560	645	581	657	594	614	568	5,356
TOTAL	1,073	1,024	1,273	1,072	1,258	1,323	1,302	1,082	1,222	10,629

(FALL) ANNUAL TOWN MEETING OCTOBER 21, 1991

The Annual Town Meeting was called to order at 7:35 PM at the Parker School Cafetorium, by the Moderator Dennis E. McHugh. There were 146 Representative Town Meeting Members present.

Selectman Dennis J. Ready moved that the reading of Constable's return of service and posting of the warrant be waived. The Moderator asked for a show of hands, it was so voted unanimously.

Selectman Dennis J. Ready moved that the reading of the entire warrant be waived. The Moderator asked for a show of hands, it was so voted unanimously.

The Moderator asked for a vote from the Town Meeting Representatives to allow non-residents to speak from time to time, Bernard Meyler, Town Accountant, Mary Mahoney, Director of the Library, and a Representative from Weston and Sampson. The Moderator asked for a show of hands, it was so voted unanimously.

The Moderator went over the Town Meeting procedures. He asked the Representatives to write down any comments about the meeting set up and location, and give them to him at the end of the meeting for review.

UNDER ARTICLE 1 Selectman Dennis J. Ready moved that the Town vote to hear reports of the Town Officers and Committees.

John Emerson of the Sewer Commission gave a progress report on the ongoing sewer project. So far 49% of the Town has been done. There is approximately 31% left to do. Once completed there will be a total number of 6,802 businesses and homes done.

The Moderator made a point of order. Due to the next article being his, he stepped down as the Moderator and appointed James Harrington, Town Counsel as the Acting Moderator. The Town Clerk Mary St. Hilaire, swore in James Harrington as the Acting Moderator, and the meeting continued.

UNDER ARTICLE 2 Selectman Dennis J. Ready moved to waive the reading of this article. The Acting Moderator asked for a show of hands, it was so voted unanimously.

Dennis McHugh proceeded to explain the intent of the article. A Rules Committee had been formed due to the passage of an article at the Town Meeting of October 1, 1990. The Committee reviewed the procedures and format used during Town Meeting, and reported back to the Moderator via the Town Meeting in April 1991. The Moderator explained that he would take their

recommendations under advisement and present back to the Town Meeting Representatives an article which could be discussed and voted on. This article before the body tonight is the result of his findings. He went through the article explaining each section. A discussion took place. The Board of Selectmen and the Finance Committee were in favor of this article. A number of questions were asked concerning section 4.17 Roll Call Ballot. Cheryl Warshafsky moved to amend the article to read 20 Town Meeting Representatives instead of 40 Town Meeting Representatives. She explained that she felt the Representatives should be held accountable for their votes, and it should be a lesser number needed in order to accomplish a roll call. Bernard Ready, who was a member of the Committee explained that this section had caused a great amount of discussion among the Committee Members. Some didn't want to have a roll call at all, while others didn't want to make it too easy or else it would delay the Town Meeting process. A compromise was made and the number 40 was agreed upon. The Board of Selectmen and the Finance Committee were not in favor of the motion. The Acting Moderator asked for a show of hands on the motion to amend, motion defeated.

More discussion took place. Jonathan A. Stevens moved to delete section 4.17 in its entirety. He felt that there was no need for a roll call vote. The Finance Committee and the Board of Selectmen were not in favor of the motion to delete. David McLachlan, past Chairman of the Rules Committee again explained the amount of discussion and debate that took place between the committee members over the accountability issue, and asked for defeat of this motion and to support the article as presented. Dean Carmeris questioned how would the roll call vote be handled. Dennis McHugh explained that the Representative's names would be read, their vote recorded and then repeated by the Town Clerk. This process would become part of the minutes of that particular meeting. Cheryl Warshafsky spoke against the motion to delete this section, she felt that accountability is needed. The Acting Moderator asked for a show of hands on the motion to delete section 4.17. Motion defeated. He then asked for a vote on the article by a show of hands, motion carried. The article reads as follows:

Selectman Dennis Ready moved that the town vote to amend the General By-Law, Article II—Town Meeting, in the following manner: Section 4 shall be amended by adding the following sections:

4.10 NOTICE—Dates and times proposed for continuance of the town meeting shall be announced when the warrant is posted.

4.11 END OF SESSION—No warrant article may be introduced for consideration after 11:00 p.m. without a majority vote of town meeting representatives present and voting to allow such consideration.

4.12 LOBBYING—Distribution of material and lobbying on warrant articles or issues not related to warrant articles being considered at that town meeting will be prohibited within an area of 100 feet outside the entrance to the building housing the meeting. An area will be established inside the building but outside the meeting place where one individual from each group supporting or opposing an issue may distribute material or discuss the issue. Handout material should be dated and signed by the organization or individuals preparing the material.

4.13 VOTING—Voice votes will not be used. All votes will be taken by a raising of hands. The Moderator will visually judge the vote and, if in doubt, will ask for a specific count.


4.14 PRESENTATION

- a) When town property or assets are to be purchased or sold, the name of the purchase or seller, if known, must be disclosed by the sponsor.
- b) The sponsor of any warrant article shall speak initially to explain the article.
- c) Zoning By-law presentations by the sponsor must show a map denoting the existing zoning and the proposed changed zoning, including definitions of zones and explanations of changes.
- d) All sponsors of by-law changes must show the language of the existing by-law and the language of the change and an explanations of the change in the presentation.
- e) All recurring operating budget articles regularly presented at the Spring Annual Town Meeting to defray Town Expenses for the upcoming fiscal year must be presented showing the following: Dollars budgeted and expended for the last two years and for the current year; proposed budget dollars; and the revenue generated by the department requesting the budget.
- f) Visual aids used in any presentation must be large enough to be viewed from the back of the hall or handouts shall be distributed.
- g) The Moderator will allow a question-and-answer period of the sponsor of an article to gather factual information or understanding of the article. Debate of the article is not allowed during this time.

4.15 RECOMMENDATIONS—The Selectmen or Finance Committee shall have an opportunity to state their position on each article and are encouraged to state

their reasons for their position. The Finance Committee is not required to speak on a non-financial article.

4.16 RULES OF DECORUM—The Moderator may distribute additional rules of debate or decorum not controverting any by-law or statute to help guide debate of issues before the Town Meeting.

4.17 ROLL CALL BALLOT—A main motion on any article shall be voted upon by roll call ballot if forty (40) town meeting representatives so vote at the end of debate of that main motion and before a motion under the next article. 

Dennis McHugh resumed his position of Moderator.

UNDER ARTICLE 3 A discussion took place concerning the choice of Monday and Thursday nights. The Finance Committee felt that the Town Meeting Body shouldn't be locked into a particular schedule as a by-law. If there was a need to continue Town Meeting to Tuesday for whatever the reasoning, that would be impossible according to the wording, therefore they are against the article. Selectman Roger Blomgren spoke in favor of the article, he felt it would eliminate debate and be easier for people to attend when set nights are established. John Conrad spoke against the article. Paul Gleason was in favor of having an advance schedule as mentioned in the previous article, however, he felt that the wording should be changed to reflect an allowance of a vote needed to change the night if necessary. He moved to amend the article by deleting the wording after the first Thursday and adding, "unless an alternate date is approved by a majority vote of Town Meeting Representatives." The Finance Committee was in favor of the motion to amend. Selectman Dennis Ready was in favor but felt that a $\frac{2}{3}$'s vote should be required rather than a majority. A discussion took place. Dennis Ready moved to amend the motion to read $\frac{2}{3}$'s vote required instead of the word majority. The Finance Committee supported the motion to amend. The Moderator attempted a vote by a show of hands, which left the chair in doubt. The following tellers were called to come forward and conduct a hand count. Peter Lawlor, Patricia Plank, Dorothy Frawley, Jean Horgan, Lucy Simonian. The result was Yes 73 No 60. Motion carried to amend. The Moderator asked for a show of hands on the motion as amended. Motion carried. He then asked for a show of hands on the main motion as amended, motion carried. The article reads as follows:

Selectman Dennis Ready moved that the Town vote to amend the General By-Laws Article II Town Meeting Section 3 Time of Meeting by adding the following:

Adjourned sessions of any Town Meeting shall be scheduled for only a Monday or Thursday unless an alternate date is approved by $\frac{2}{3}$'s vote of the Town Meeting Representatives present and voting.

UNDER ARTICLE 4 Wendy Marcks of the School Committee, moved to dismiss this article. She came forward and explained that a Town Meeting vote is no longer required. The law now requires that the Board of Selectmen must vote by October 15 if the Town will accept the teachers deferral plan. The Board of Selectmen accepted the School Committee's recommendation and did not vote on the plan. The Finance Committee and the Board of Selectmen support the motion to dismiss. The Moderator asked for a show of hands, motion carried, unanimously.

The Moderator asked Town Counsel James Harrington to come forward and preside over the meeting, during the next article.

UNDER ARTICLE 5 Dwight Hayward of the Finance Committee explained the purpose of the article. Stipends are paid to certain elected and appointed officials. The Committee is not concerned about the issue of paying stipends, but about the added benefits that a person is eligible for once he/she receives the stipend. With the rising cost of health insurance coverages for town employee's being so high, the committee questioned why should someone who works far less hours than the full or part-time weekly employees be allowed health benefits. Also if an individual retires after ten years of service the Town still must pay a reduced percentage of their health care costs. The Finance Committee asked for the Representatives support on the article. The majority of the Board of Selectmen were not in favor of the article. A lengthy discussion took place. Dennis Ready spoke in favor of paying stipends. He felt that they are justified and certain board's should receive stipends who presently don't. He explained that there are a lot of functions, etc., that members of the different boards must attend, because of the office they hold. The stipend received offsets these costs, that otherwise would have to be absorbed. Wendy Marcks spoke about allowing the individuals who receive or want to receive health benefits be part of the Town's Group, but must pay 100% of the costs. The individual would still be paying far less as a group member, rather than have to pay on an individual plan. The Town would save money and the individual would also save money. Barbara Ward acknowledged that it is expensive to be a volunteer, and many board members like herself and the rest of the School Committee do not receive any stipends. However, she feels that the town should grandfather those who presently receive a stipend, but not pay any future position or office holder. It should be an all or nothing allowance. Questions were asked on the total number of individuals involved. The Finance Committee said that there were sixteen individuals and three of them participate in the Town's health plan. It was asked if these individuals could be paid some other way but not be eligible for the health benefits. Town Manager Bernard Lynch explained that these people could be paid as an "expense" therefore not be qualified as employee, but it's not recommended to do so. Philip Currier questioned the wording of the article. He felt

that the third paragraph should use the word "shall" remain eligible....instead of the present wording of "may." He moved to amend the article to reflect the word shall. The Finance Committee and the Board of Selectmen were in favor of the motion to amend. The Acting Moderator asked for a show of hands, motion carried. More discussion took place. Robert Joyce moved to delete the second paragraph in its entirety and substitute "said by-law to take effect one year from the date of enactment." John Coppinger spoke against cutting anyone who presently is receiving insurance, but felt that more control should be done in the future. The Finance Committee was not in favor of the motion. The Board of Selectmen were not in favor of the motion. The Acting Moderator asked for a show of hands on the motion to amend. Motion defeated. Brad Emerson moved "To form a committee made up of one member from each precinct to investigate the stipend structure and the benefit laws to make a report and proposal to this body in concert with the Finance Committee at the next annual town meeting." He then explained his reasoning for the motion. He felt that the issue raised certainly merited more study before any decisions could be made. More discussion took place. Mark Gauthier read a list of the positions that receive the stipends and gave examples of the duties that these positions do. He explained that most likely if the person charged for their actual service to the town as an expense, it would far exceed the stipend amount. James Doukszewicz, Finance Director assessed the different issues brought forth. He explained that presently there are four members of the health plan who receive stipends. The yearly cost is approximately \$13,000-\$14,000 per year. Currently there are no retired members who had received stipends in the past on the plan. If in fact this article passes the individuals involved may according to federal law remain on the plan for two years. An individual could be paid as an expense. However, the state law will not allow individuals to be under the Town's plan unless they are receiving a salary or stipend. James Moriarty moved the question to stop any further debate. The Acting Moderator asked for a show of hands, motion carried unanimously. The Acting Moderator then asked for a show of hands on the motion to form a committee. Motion carried. A number of Representatives questioned the show of hands. The tellers came forward and conducted an actual hand count. Yes 83 No 42, motion carried.

Dennis McHugh resumed his position as Moderator, and the meeting continued.

UNDER ARTICLE 6 Town Manager Bernard Lynch, moved that the Town vote to reduce the Finance Committee Reserve Fund established under Article 10 of the Annual Town Meeting of April 30, 1991 by \$50,000.

Bernard Lynch explained that the state aid portion to Chelmsford was reduced by \$850,000. The Town must make up the difference. Therefore, by reducing

the reserve fund by this shown, and reducing specified departmental fixed costs as stated in under article 8, there would be no impact on the present services. The Town would have a balanced budget, and there would still be a reserve fund of \$150,000. The Finance Committee was in favor of the article. The reserve fund was originally budgeted for \$150,000 at the Annual Town Meeting in April. An additional \$50,000 had been put aside in anticipation of insurance costs which ended up being lower. Brad Emerson moved the question to stop further debate. The Moderator asked for a show of hands, motion carried, unanimously. The Moderator asked for a vote by a show of hands, motion carried.

UNDER ARTICLE 7 Selectman Dennis J. Ready moved to waive the reading of the motion under article 7. The Moderator asked for a show of hands, motion carried. John Morrison one of the petitioners, explained the article. People could make arrangements for trash pick up either through the town, which offered a tag and bag system, or through private haulers. All trash haulers are licensed by the Board of Health to be allowed to come into the town and pick up trash. The Board of Health made up rules and regulations that set forth certain requirements for these haulers to adhere to. Yankee Disposal could not meet the requirements set and went out of business. There were a number of residents who had paid a fee and had a contract with this company to pick up their trash. They tried numerous times to get in touch with or locate the owners of Yankee Disposal but to no avail. The Consumer Division could not offer any assistance with the matter. The residents then had to make other arrangements for trash pick up. The residents mentioned in the article felt that because they had paid \$70.00 to join the Town's trash program, the Town should reimburse them half the cost because the Board of Health licensed Yankee Disposal to begin with.

A discussion followed. The Finance Committee was not in favor of the article. The Selectmen wanted to hear from the Board of Health and Town Manager before making any recommendation. Bernard Lynch, Town Manager explained that when the Town sent out notices to the residents about trash pick, it was noted that private arrangements could be made with other haulers but that the town would not guarantee these services. The town would only be responsible for its own program offered. Mark Gauthier, member of the Board of Health stated that the Board of Health does indeed license trash haulers. However, the Board is not responsible for the haulers performance. The people listed entered into their own contract with Yankee Disposal. Donald Ayer moved to amend the article. To transfer the sum of \$1,000 from the Finance Committee's reserve fund and the sum of \$881.00 from Line Item 26 of the 1992 Fiscal Budget to purchase trash stickers to provide each person listed with thirty stickers. He felt that this was the fairest way to handle the situation. The Finance Committee was against the motion. They were not in favor of returning \$35.00 to each per-

son listed to begin with, as far as they were concerned this wasn't any different. They were still getting a refund. More discussion took place. Leonard Doolan moved the question to stop debate. The Moderator asked for a show of hands, motion carried unanimously. The Moderator asked for a show of hands on the article, motion defeated.

UNDER ARTICLE 8 Town Manager Bernard Lynch explained the article. As he mentioned in the discussion of article 6 due to the state aid cut back, the Town is forced to make up the difference. He then read the reduced budget figures and the departments that were affected.

He read the Non-Appropriated Expenses figure and explained that these are recap sheet figures that do not appear in the actual budget:

Non-Appropriated Expenses		
State Assessments	- \$197,250	
State/County Other Assessments	- 12,910	
Total		\$210,160

Line Item 33. Undistributed Expenses		
Insurance	- \$188,359	
County Retirement	- 14,847	
Unemployment	- 75,000	
Medicare Tax	- 25,000	
Total		\$303,206

Line Item 7. Nashoba Valley Technical School \$14,160 (he noted, original figure was \$38,301 which was prior to rejecting the teachers deferral plan vote of Oct. 15)

Line Item 6. Chelmsford Public Schools		80,000
Line Item 1. Municipal Administration Expenses		
Executive Office	- 750	
Finance Dept.	- 2,500	
Town Clerk	- 1,000	
Total		\$4,250

Line Item 4. Municipal Administration Outlay		
Accounting		500

Line Item 8. Public Safety Salary		
Police	- 16,000	
Fire	- 13,000	
Total		\$29,000

Line Item 9. Public Safety Expenses		
Inspections		500

Line Item 11. Public Safety Outlay		
Fire		3,000

Line Item 12. Public Works Salary		
DPW-Highway Division		9,000

Line Item 13. Public Works Expense		
DPW-Engineer Division	- 1,000	
DPW-Public Bldg. Div.	- 1,000	
DPW-Sewer Division	- 5,000	
Total		\$7,000

Line Item 18. Sewer Comm. Expenses		1,250
Line Item 22. Cemetery Comm. Expenses		1,250

Line Item 26. Community Services Exp.	3,000
Line Item 30. Library Expenses	3,000
Warrant Articles	
Art 10 Finance Committee Reserve Fund	50,000
TOTAL	\$743,167

Bernard Lynch further explained that the original anticipated figure of state cut in aid was \$1.5 million. These figures impact only the operating budgets of the town some \$132,000. Other savings made from other non-departmental accounts. Resulted in no layoffs of personnel, no impact on services directly. This is a result of belt tightening and down sizing, it is a well balanced budget. The reorganization of combining the Veterans Agent with the Director Elder Service as mentioned at the April Town Meeting will not take place. After discussions with the Board of Selectmen and due to legal issues this full time position will be reinstated with a salary of approximately \$20,000. The Community Service Salary Account will be increased \$7,500 and with the \$2,500 already available the position will be funded beginning January 1, through June 30, 1992. Hiring procedures will take place within the next few weeks.

The Finance Committee was in favor of the article and the figures presented by Bernard Lynch. The Board of Selectmen recommended the Town Managers figures. A question was asked on where the \$80,000 cut in the School Budget came from. Superintendent Dr. Richard Moser explained due to obtaining rent and some additional grant money they are able to make cuts in areas that would not affect the overall performance of the School Department. The Moderator asked for a vote by way of a show of hands, motion carried. The article reads as follows:

Town Manager Bernard Lynch moved that the Town vote to reduce the amount of money raised and appropriated to defray Town charges for the fiscal period from July 1, 1991 to June 30, 1992 under article 8 of the Annual Town Meeting of April 29, 1991 by the sum of \$451,366.00 by amending the following line items in the budget:

Line Item 33. Undistributed Expenses	-303,206
Line Item 7. Nashoba Valley Technical School	-14,160
Line Item 6. Chelmsford Public Schools	-80,000
Line Item 1. Municipal Administrative Exp.	-4,250
Line Item 4. Municipal Administrative Outlay	-500
Line Item 8. Public Safety Salary	-29,000
Line Item 9. Public Safety Expenses	-500
Line Item 11. Public Safety Outlay	-3,000
Line Item 12. Public Works Salary	-9,000
Line Item 13. Public Works Expense	-7,000
Line Item 18. Sewer Commission Expenses	-1,250
Line Item 22. Cemetery Commission Expenses	-1,000
Line Item 25. Community Services Salary	+7,500
Line Item 26. Community Services Expenses	-3,000
Line Item 30. Library Expenses	-3,000
TOTAL	-451,366

UNDER ARTICLE 9 Library Trustee Elizabeth McCarthy moved to dismiss this article. The Moderator asked for a show of hands, motion carried.

UNDER ARTICLE 10 Chairman of the Housing Authority Ruth Delaney moved that the Town vote to grant the Chelmsford Housing Authority a sewer easement 20 feet in width across the site of the Chelmsford Senior Center for a distance of 420 feet along Groton Road and 140 feet along Sheila Avenue, all as shown on a plan available at the offices of the Chelmsford Housing Authority and Town Clerk.

Town Counsel James Harrington explained that this easement is necessary in order to allow the Housing Authority to tie into the sewer connection on Groton Road. This would allow the Housing Authority to provide sewer service for housing that will be constructed on their site. The Board of Selectmen and the Finance Committee recommend the article. The Moderator asked for vote by way of a show of hands, motion carried, unanimously.

Sue Olsen moved to adjourn the meeting until Monday evening October 28, 1991 at 7:30 p.m. at the Parker School Cafetorium.

The Moderator announced prior to accepting the motion to adjourn, that all Representatives arrive by 7:20 p.m. and sit in their respected precincts and choose among themselves a member to sit on the proposed committee to review stipends and benefits. They will report their findings to him at 7:30 p.m. as the first order of business. He then asked for a show of hands on the motion to adjourn, motion carried.

The Meeting adjourned at 11:00 p.m.

Dennis E. McHugh,
Moderator

Mary E. St.Hilaire,
Town Clerk

ADJOURNED ANNUAL TOWN MEETING OCTOBER 28, 1991

The Town Meeting Representatives meet in their respective precincts at 7:20 p.m., to choose one member from each precinct to sit on the committee to review stipends and benefits. The names were submitted to the Moderator prior to calling the meeting to order.

The Adjourned Annual Town Meeting was called to order at 7:35 p.m. at the Parker School Cafetorium, by the Moderator Dennis E. McHugh. There were 135 Representative Town Meeting Members present.

The Moderator read the list of names submitted to him to be on the Stipend, Benefit Review Committee. They are as follows:

Pct. 1—Barry Balan	Pct. 6—Margaret Johnson
Pct. 2—Sue Olsen	Pct. 7—Mark Gauthier
Pct. 3—Kathleen Fitzpatrick	Pct. 8—Evelyn Bell
Pct. 4—Beverly Koltookian	Pct. 9—Charles Piper
Pct. 5—Dean Carmeris	

UNDER ARTICLE 11 Barbara Scavezze explained the purpose of the article. The Town's contract for trash pickup must be renewed on July 1, 1992. Beginning January 1, 1993. The State will be banning the disposal of certain recyclables. This will be six months after the town renews its contract. The purpose of this by-law is to be more of a policy by-law. Currently residents are already required to separate paper for recycling, in addition bottles and cans would have to be separated. This would update the current by-law to coincide with the present recycling program and to prepare for the future enforcement of state regulations. This would require the Board of Selectmen to decide on the different options regarding the collection of recyclables.

A lengthy discussion took place. Barry Balan asked what was the total number of households involved with the Town's program of recycling and trash pickup. Barbara Scavezze said that the estimated numbers were 5,000 in the volunteer recycling and 7,168 receiving trash pickup. A number of Representatives spoke against the article. The different members of the Solid Waste Committee spoke in favor and asked for support. The Finance Committee supported the article. The Board of Selectmen do not support the article. Edward Hilliard spoke in favor of the article. Roger Blomgren spoke against the article and provided some facts and figures concerning the cost. He felt that recycling should not be mandatory until state policy becomes clearer on how towns will be affected by waste ban regulations. Recycling should be on a voluntary basis, as it is today, with those desiring to recycle to pay their fair share. More discussions took place. The Moderator asked for vote by a show of hands, which left the Chair in doubt. The following tellers were called forward to take a hand count. Dorothy Frawley, Jean Horgan, Patricia Plank, Lucy Simonian, Jaci Matzkin. The result of the hand count: Yes 49 No 68 the article was defeated.

UNDER ARTICLE 12 Selectman Dennis J. Ready moved to waive the reading of the article. Motion carried, by a show of hands. Joel Karp explained that the article basically makes a by-law out of the current trash and recycling system. He went through the article item by item. This will not be any different than the current system. The cost burden will be on only those who participate in the program. Either the user fee system can still be used, or at the will of a Town Meeting vote, funding could be appropriated. If the user fee system is used, then a program will be established called the Enterprise Fund, which will be monitored by the Town Ac-

countant. A lengthy discussion took place, whereas a number of Representatives asked questions. The Finance Committee had no recommendation one way or the other on the article. The Board of Selectmen stated they initially wanted to table the article, due to this topic being on their upcoming meeting agenda, instead Selectman Ready moved to amend the first sentence in section 8.9 to read as follows:

The Town Manager shall, based upon information provided him by the Town Finance Director, Town Accountant, and other sources recommended to the Board of Selectmen the amount of the annual or other periodic user fee and/or charges. The Board of Selectmen shall establish this fee and/or charge prior to the Annual Spring Town Meeting.

Selectman Ready explained that the Board of Selectmen and the Town Manager agreed that the Selectmen should set the user's fee in an open forum, it should not be a policy decision made by the Town Manager. The Moderator asked for the Finance Committee's recommendation on the motion to amend. The Finance Committee had no recommendation. The Board of Selectmen supported the motion. The Moderator asked for a vote by way of a show of hands, motion carried to amend.

Mark Gauthier, Member of the Board of Health, moved to amend the second sentence of Section 8.8 and the second and third sentences of Section 8.10. He felt that the Board of Health should not be involved with these particular sections. Joel Karp spoke against the motion to amend. The Moderator asked for the Finance Committee's recommendation on the motion to amend. The Finance Committee had no recommendation. The Board of Selectmen supported the motion. The Moderator asked for a show of hands on the motion to amend. Motion defeated.

Judy Haas asked for the Solid Waste Committee's recommendation on the article. Barbara Scavezze said that the Committee's only concern was with section 8.6, which would not allow subsidizing other programs. This could jeopardize future additional leaf pickups or other programs such as this. The Moderator asked for a show of hands on the article as amended. Motion carried. The article reads as follows:

Joel Karp moved that the Town vote to amend the General By-law Article VIII Waste Disposal by adding Section 8 as follows:

Section 8: Solid Waste, Recycling and Hazardous Waste Disposal Programs:

8.1. The Town of Chelmsford shall continue its program of curb side pickup and disposal of solid household waste through the use of a private contractor or contractors.

8.2. The Town of Chelmsford shall continue a program that encourages all residents to recycle specified items.

8.3. The Town of Chelmsford shall continue its program for the disposal of household hazardous waste and related items.

8.4. Funding for the above programs shall be through the appropriation of funds by an Annual or Special Town Meeting and/or the establishment of an annual or other periodic user or subscriber fee or charge.

8.5. In the event that a user or subscriber fee or charge is established, said funds will be accounted for and maintained in a program specific "Enterprise Fund or Account." Such fund shall be administered by the Town Accountant in accordance with applicable state laws, rules and regulations, concerning this type of account.

8.6. No program shall significantly subsidize another program, except as follows:

a. Billing

In the event that an annual user or subscriber fee is established for household solid waste, the incidental cost of billing and payment processing for other programs shall be borne by the household solid waste program, provided that such billing and payment processing is included as part of the household solid waste programs billing and payment schedule.

b. Administration of Program

In the event that an annual user or subscriber fee is established for household solid waste, the cost of administering the various non-household solid waste programs shall be borne by the solid waste programs exceeds 20% of the total cost of administration, the Town shall either fund such excess amount through and increase in non-solid waste fees or other appropriation.

c. Equipment

Equipment used to administer, support, and manage the solid waste program may be utilized by other departments of the Town. Said use shall be under the direction of the Town Manager.

8.7. The Board of Health shall regulate and license trash haulers in accordance with the state laws. Said regulations shall provide for an annual or multi-year licensing period that runs concurrently with the annual user fee, if such a fee or charge is made.

8.8. The Town Manager shall be responsible for the establishment and overall management of the various programs provided for in this by-law. The Board of Health shall be responsible for providing overall direction and enforcement of those areas of any of the programs that are assigned to it by state law, local by-law, the Board of Selectmen, or the Town Manager.

8.9. The Town Manager shall, based upon information provided him by the Town Finance Director, Town Accountant, and other sources recommended to the Board of Selectmen the amount of the annual or other periodic user fee and/or charges. The Board of Selectmen shall establish this fee and/or charge prior to the Annual Spring Town Meeting. The Town Manager shall, when presenting his budget to the Annual Spring Town Meeting, or any other town Meeting include in his budget a provision allowing for the appropriation of funds from general town funds for any of the programs included in this by-law. the Town Manager shall implement such changes and adjust fees and/or other charges accordingly.

8.10. All user and other fees assessed and/or charged under the terms of this by-law shall be against the assigned owner of the property. In the event that a property owner shall fail to pay a fee or charge made under this by-law the Town Manager shall be authorized to suspend the service that has not been paid for. The Town Manager shall give the property owner 10 days notice by first class mail of the action to be taken. The Town Manager shall notify the Board of Health of the proposed action.

8.11. A property owner may elect to use an alternate trash hauler to comply with the terms of this by-law and requirements of the Board of Health for the disposal of household trash provided that the alternate trash hauler has been licensed by the Board of Health and appropriate documentation is provided to the Town Manager within 30 days of the start of the annual or other service period established by the Town Manager. In the event that a property owner fails to provide the appropriate documentation, it shall be presumed that the property owner is participating in the Town programs. The Town Manager shall have the authority to establish appropriate rules and regulations for the implementation of this provision and the apportionment of fees and/or charges based upon partial year use. The Town Manager shall be authorized to establish rules and regulations that allow for abatements and payment deferral based on hardship or other similar circumstances.

8.12. In the event that a property owner wishes to appeal a decision of the Town Manager, the Board of Selectmen, upon written request by the property owner, shall hear such appeal and modify the Town Manager's decision provided that such decision shall be based upon the terms of this by-law, applicable laws, rules and regulations as they pertain to the programs included in the by-law. An affirmative vote of 3 members of the Board of Selectmen shall be required to alter a decision of the Town Manager.

8.13. In the event that the programs shall be totally funded by general funds available to the Town and that no user fee or other charge shall be required in a given fiscal year, the non-financial assets of the program shall

be given to the Town at no cost or charge. Any surplus of funds in the "Enterprise Account" shall be returned to the users as a credit against their real estate taxes and/or other fees and betterments by the Town Treasurer.

8.14. Interpretation and implementation of the terms of this by-law shall be made by the Town Manager. This by-law shall go into effect at the earliest date permissible by applicable state law. All funds collected for the current year's programs shall be handled in accordance with the provisions of this by-law.

8.15. The Town Manager shall within 120 days of the adoption of this by-law prepare and make available the rules and regulations implementing the various programs included in this by-law.

UNDER ARTICLE 13 The Moderator explained that he represented the proponents of the next article, he would step down as Moderator. He asked Town Counsel James Harrington to come forward and be the Acting Town Moderator for this article. James Harrington came forward and the Town Clerk, Mary St. Hilaire swore in James Harrington as the Acting Moderator. Bruce Harper, Superintendent of the North Water District explained the purpose of the article. It was to change a 1.72 acre parcel of land from open space to public use. Open Space under Public Utilities is a prohibited use according to the zoning by-law which was passed in 1988. The Water District looked at six sites, including the present site on Washington St. Currently the District is in the process of removing a smaller tank built in 1907, which had a capacity of 357,000 gallons. An estimate for repairs was made and because of the amount of work needed to be done, the minimum cost would be \$114,000. This estimate was done prior to the damage of Hurricane Bob on August 20, 1991, in which the steel cover was blown off the tank. Presently located on the same site is a tank of 1.8 million gallons capacity, which was built in 1969. The Commissioners feel that there is a definite need to decentralize the location of any future tanks. That is why six site locations were reviewed. The furthest distance from the Washington St. tank is where the new tank should be put, because the water pressure becomes lower. The Groton Road, Ward Way is the outlying area and can be serviced from the Swain Road site. The present tank could handle the commercial usage required for the Drum Hill area. However, an additional tank is needed in order to assure the complete safety of all water residential and commercial users. The Water Commissioners asked permission to allow the Engineer of the Tower, Thomas Mahanna, to speak from time to time. He is a resident but not a registered voter of the Town. The Acting Moderator asked for a show of hands on the motion, motion carried.

David McLachlan, past chairman of the Rules Committee expressed concern that the committee had requested any changes in zoning must be shown on a map

or over head, or handouts. Bruce Harper brought forth a zoning map, which did show the locations of the sites in review. The Acting Moderator made a point of order that the Rules Committee request was a by-law that had just been passed and has to be sent to the Attorney General for approval. Technically this rule is not yet in effect.

A lengthy discussion took place. A number of residents from Kelshill Road and Rhum Circle, which directly abut the Swain Road site, asked questions concerning the site. Concerns were expressed about being next to the current closed dump site. There is a cap on the dump site, but could problems arise in the future? Thomas Mahanna answered because of the slope and terrain the proposed site would not be effected. It was mentioned at the public hearing about the future development of the area. The town of Westford has plans for a future development which will be on the Westford/Chelmsford town line. Is this the real reason for the proposed site, to aide the developer? Bruce Harper explained that the development does include 26 acres which would qualify and have to be serviced by the district, at some point. Kim MacKenzie read the Planning Board's recommendation on the article. The Planning Board held a Public Hearing on September 11, 1991. At the meeting on September 25, 1991, the Board voted unanimously (6-0) to recommend the designation "Open Space (OS) District," as shown on said zone map, and substituting in place thereof new lines and designation "Public (P) District," insofar as said zone map relates to the described premises. The Acting Moderator asked for the Selectmen's recommendation. The Selectmen had no position to state. The Finance Committee did not recommend the article. More discussion took place. Brad Emerson moved the question to stop debate, which requires a unanimous vote, or a hand count must be taken. The Acting Moderator asked for a show of hands twice. In which case noted 2 hands showed in opposition, and 32 were in favor, therefore he declared debate to stop. He called the tellers forward to conduct a hand count for the vote on the article. Yes 26 No 83, motion defeated.

Dennis McHugh resumed his position as Moderator and the meeting continued.

UNDER ARTICLE 14 Jeffrey Stallard explained the purpose of the article. He circulated a petition and received and qualified enough signatures to allow this article to appear. He felt that himself and those who had signed the petition agreed, that the present way that the budget is handled should be converted back to the way it was done prior to the adoption of the Charter. In the past the Moderator would read thru each department and discussion was allowed and sometimes amendments were made, and a vote was taken at the end of budget on the total monies to raise and appropriate. The budget figures shown were what the departments worked with through the fiscal year. The Finance Committee would allow transfers when

necessary, but for the most part, the department head stayed within the figures as voted. Now, the Charter allows the Town Manager to present the budget. Technically only five Sub-department line items make up the entire budget. All the individual departments are categorized under Sub-departments and the total sub-departmental budget is what is used throughout the year. The Manager is allowed to make transfers within any categorized department that falls in the sub-department line item. This method doesn't really show at the year's end what the total cost is to run a department. The Finance Committee is not in favor of the article. They feel that the operation of the budget is better when the figures are set up under the sub-department system. The Board of Selectmen oppose the article. The Moderator asked for a vote by way of a show of hands, motion defeated.

UNDER ARTICLE 15 The Moderator read the entire article. James A. Sousa moved to amend the article by adding a sentence after the first paragraph. "To be filed as a Home Rule Petition, to apply only to certain employees of the Town of Chelmsford." John Robinson explained the purpose of the article. The present civil service law allows for a five year re-hired call back list. This home rule petition would apply to only certain Chelmsford employees who were laid off due to budget cut backs. They would have a total of ten years' time to be called back to work for the Town. John Robinson explained that the age limit for taking the test for the Fire Department is 32. He is over that age, so after five years as the law now reads, he would not be eligible to come back, nor could he take another test. He wants to be a fireman and work in the Town of Chelmsford, he has already worked in the system for four years. He felt that if these additional five years are added that he would be re-hired in the future.

The Moderator asked for the Finance Committee's recommendation. The Finance Committee was not in favor of the motion to amend, or the original motion. The Board of Selectmen were in favor of amendment and the article. They felt that there wouldn't be any cost to the Town, they would be hiring a trained employee. Bernard Lynch, Town Manager was against the article. He felt that in the private sector there is no recall time. This should be treated the same way. The Moderator asked for a vote by a show of hands, motion carried. The Article reads as follows:

James Sousa moved that the town vote to petition the Great and General Court of the Commonwealth of Massachusetts to amend the following Massachusetts General Laws, pertaining to Civil Service Law Chapter 31, Section 39. To be filed as a Home Rule Petition, to apply only to certain employees of the Town of Chelmsford.

If permanent employees in positions having the same title in a department unit are to be separated from such positions because of lack of work or money or aboli-

tion of positions, they shall, except as hereinafter provided, be separated from employment according to their seniority, so that employees senior in length of service, computed in accordance with section thirty-three, shall be retained the longest and reinstated first. Employees separated from positions under this section shall be reinstated prior to the appointment of any other applicants to fill such positions or similar positions, provided that the right to such reinstatement shall lapse at the end of the five-year period following the date of such separation.

Amended the law would read:

If permanent employees in positions having the same title in a department unit are to be separated from such positions because of lack of work or money or abolition of positions, they shall, except as hereinafter provided, be separated from employment according to their seniority in such unit and shall be reinstated in the unit and the same positions or positions similar to those formerly held by them according to such seniority, so that employees senior in length of service, computed in accordance with sections thirty-three, shall be retained the longest and reinstated first. Employees separated from positions under this section shall be reinstated prior to the appointment of any other applicants to fill such positions or similar positions, provided that the right to such reinstatement shall lapse at the end of the ten-year period following the date of such separation.

UNDER ARTICLE 16 James Geary representing Altid Enterprise asked permission from the Body to allow Barbara Carye, and Drew Leff who are non-residents to make a presentation to the body. The Moderator asked for a show of hands, motion carried. Barbara Carye spoke about the article, and how the proposed improvements would improve the property and be an asset to the Town. Drew Leff the architect gave a brief presentation showing the proposed changes to the buildings and the parking area, and stated the changes that were taking place concerning security etc. The Finance Committee had no recommendation. The Board of Selectmen were in favor. Kim MacKenzie, chairman of the Planning Board read the Board's recommendation. The Planning Board held a public hearing on September 11, 1991. At the meeting of September 25, 1991, they voted to recommend (4-1) a zoning change of the described property, consisting of 28.5 acres of land with buildings thereon, from Neighborhood Commercial District (CA) and Limited Industrial District (IA) to a Shopping Center District (CC). A lengthy discussion took place. John Conrad spoke against the article. He said that the neighborhood concerns over the years had not been addressed and expressed disappointment with the Planning Board's recommendation. Only since the last public hearing had some of the concerns been met. Ruth Delaney spoke against the article. Ralph Nebalski expressed traffic concerns for the residents in the Dalton Road area. A number of Representatives spoke in favor. Philip Cur-

rier felt that the proposed improvements would greatly benefit the area. Edward Cady felt that where it has been there for twenty years, the zoning change should be allowed. Fran McDougall questioned if they had tied into sewage yet, and if not were they being fined? If not then why not? John Emerson of the Sewer Commission stated that they had until May of 1992 to be tied into the system, therefore no fines were required or being collected. The Moderator stated that a $\frac{2}{3}$'s vote is required. He asked the tellers to come forward and conduct a hand count. Yes 80 No 42, $\frac{2}{3}$'s is 81, the motion is defeated.

Joseph Erbacher moved to have article 15 brought back for reconsideration. He felt that the show of hands was a close vote. The Moderator asked for a show of hands on the motion to reconsider article 15, motion defeated.

John Conrad moved to adjourn the Town Meeting until Thursday, October 31, 1991. The Finance Committee and the Board of Selectmen were against the motion. The Moderator asked for a show of hands, motion defeated.

Scott McCaig moved to reconsider article 16. He had no opinion one way or another on the issue. He just felt that the count was extremely close and merited another count. The Finance Committee was against the motion. The Board of Selectmen were in favor. The Moderator asked for a show of hands, motion carried to reconsider the article.

UNDER ARTICLE 16 Bradford Emerson moved the question to stop debate on the article. The Moderator asked for a vote by way of a show of hands, motion carried, unanimously. The Moderator asked for the tellers to come forward and conduct a hand count. Yes 81 No 43 $\frac{2}{3}$'s is 82, motion defeated.

UNDER ARTICLE 17 Christine Gleason moved to dismiss the article. The Finance Committee was in favor of the dismissal. The Board of Selectmen were in favor of the motion. The Moderator read the Planning Board's recommendation. The Planning Board held a Public hearing on September 11, 1991. At the meeting of September 25, 1991 the board voted unanimously against (6-0) to amend the zoning by-laws article VI Special Regulations, Section 4100 Accessory Uses and Structure, by adding a new subsection 4194. The Moderator asked for a vote by way of a show of hands, motion carried.

UNDER ARTICLE 18 Jeffrey Stallard moved to amend this article to be \$5,000.00 raise and appropriated, instead of \$15,000, as first requested. He explained that the Town Manager does now include in the budget provisions to pay for a full time Veteran's agent. He felt that the salary should be more. The Finance Committee was in favor of the reduction but against the article. The Selectmen were against the ar-

ticle entirely. The Town Manager was against the article and the amendment. The Moderator asked for a show of hands on the motion to amend. Motion carried. He then asked for a show of hands on the article as amended, motion defeated.

UNDER ARTICLE 19 Selectman Dennis Ready moved that the town vote to amend the General By-laws Article VII Miscellaneous Section 5. License Fees by deleting the fourth paragraph which reads as follows:

All fees shall be increased by Five Dollars (\$5.00) on the first day of the second month following the required licensing period, as outlined in Section 3 (a) of this By-Law, and by an additional Five Dollars (\$5.00) on the first day of each succeeding month.

and substitute in its place the following:

All fees shall be increased by Five dollars (\$5.00) on the first day of the second month following the required licensing period, as outlined in Section 3 (a) of this By-law, and by an additional Five Dollars (\$5.00) on the first day of each succeeding month up to June 30th each year.

Selectman Ready explained that this would be a cap on the dog licensing process. Currently if a person doesn't get a license by the first of March they are charged \$5.00 for each month that they are late. At the end of the calendar year the fee could be as much as \$60.00. This by-law would allow the final cost to be \$30.00 from July first through December 31st. The Board of Selectmen and the Finance Committee were in favor of the article. The Moderator asked for a show of hands, motion carried. Seeing that there was no further business at hand, the Moderator declared the meeting adjourned. The Meeting adjourned at 11:25 p.m.

Dennis E. McHugh,
Moderator

Mary E. St.Hilaire,
Town Clerk

TOWN MEETING REPRESENTATIVES

PRECINCT 1

TERM	NAME
1994	Joel M. Karp
1994	Richard P. McClure
1994	Martha McClure
1994	William E. Spence
1994	Robert M. Schneider
1994	Jean B. Rook
1993	David A. MacDonald
1993	Helen A. Manahan
1993	Susan G. Koeckhoven
1993	Sandra A. Kilburn
1993	Barry B. Balan
1993	Robert P. Joyce
1992	Phillip L. Currier
1992	John G. Coppinger
1992	Marian D. Currier
1992	Robert E. Olson
1992	Carl W. Seidel
1992	Scott J. McCaig

PRECINCT 2

TERM	NAME
1994	Jeffrey W. Stallard
1994	Milton H. Kinney
1994	Karen S. Vandenbulcke
1994	Marc A. Vandenbulcke
1994	Mary J. Welch
1994	Albert Leman
1993	Robert J. Scharn
1993	George L. Merrill
1993	Francis G. Miskell
1993	Harry A. Foster
1993	Susan M. Olsen
1993	Harold I. Matzkin
1992	Bonnie I. Foster
1992	Loretta A. Gelenian
1992	Barry T. Bell
1992	George F. Abely
1992	Kathryn A. Schmitz
1992	David G. Conrad

PRECINCT 3

TERM	NAME
1994	Pamela S. Amway
1994	Michael F. McCall
1994	Ann Y. Graham (Resigned 7-17-91)
1994	Thomas J. Welch
1994	Robert D. Marazzi
1994	Thomas E. Moran
1993	Kathleen S. Fitzpatrick
1993	Jane S. McKersie
1993	Brenda A. McDermott
1993	Carol A. Marcotte
1993	D. Lorraine Lambert
1993	Priscilla A. Rega
1992	Michael F. Curran
1992	Christine A. Gleason

1992	Thomas P. Regan (Resigned 5-1-91)
1992	John P. Emerson, Jr. (Removed 12-31-91)
1992	Judith Hass
1992	John M. Hanlon
1992	Katherine C. Harbison** (Replaced T. Regan)
1992	James W. Moriarty** (unexp 2 yr. term)
	Replaced A. Graham

**Vacancy filled by Reps. Term expires at next Town Election

PRECINCT 4

TERM	NAME
1994	Donald P. Ayer
1994	Steven B. Hadley
1994	Beverly A. Koltookian
1994	Michael R. Parquette
1994	Kay E. Roberts
1994	Daniel J. Sullivan
1993	Bonita Towle Hann*
1993	John T. Conrad
1993	Ruth K. Delaney
1993	Thomas E. Firth Jr.
1993	Gerald W. Pacht
1993	John B. Sousa Jr.*
1992	Martha Shelton (Resigned 7-11-91)
1992	Linda J. Allen
1992	Jeffrey A. Brem
1992	Robert L. Hughes
1992	Lynn M. Marcella
1992	Frances T. McDougall
1992	Arthur J. Moores**

**Vacancy filled by Reps. Term expires at next Town Election

*Moved from precinct serves out term until next Town Election

PRECINCT 5

TERM	NAME
1994	Steven J. Temple
1994	Jonathan A. Stevens
1994	Robert E. Brooks
1994	W. Allen Thomas Jr.
1994	Catherine Brown
1994	Patricia Wojtas
1993	Arnold J. Lovering
1993	Barbara H. Ward
1993	James M. Creegan
1993	Wendy C. Marcks
1993	Kathleen F. Hillman
1993	David P. McLaughlin
1992	Ronald W. Wetmore
1992	J. Ronald Gamache
1992	Evelyn S. Thoren
1992	Dean Carmeris
1992	Glenn R. Thoren
1992	Violet R. Stone

PRECINCT 6

TERM	NAME
1994	Mary E. Frantz
1994	David W. Foner
1994	Patrick J. Calnan
1994	James A. Sousa

1994	Earl C. Burt
1994	Howard J. Hall
1993	John W. Carson
1993	Raymond P. McKeon
1993	Margaret A. Johnson
1993	Bradford O. Emerson
1993	Janet G. Dubner
1993	M. Elizabeth Marshall
1993	David J. McLachlan
1992	Aileen R. McCarthy
1992	Roger A. Blomgren
1992	Edward S. Marshall
1992	Martin A. Gruber
1992	Cheryl M. Warshafsky

PRECINCT 7

TERM	NAME
1994	Paul F. Gleason
1994	Thomas E. Mills
1994	Linda G. Morabito
1994	Margaret A. Schloeman (Resigned 7-28-91)
1994	Carol A. Stark
1994	Frederick W. Wikander
1993	Susan J. Gates
1993	Joan M. Gauthier
1993	Mark E. Gauthier
1993	Edward H. Hilliard
1993	Dennis J. Ready
1993	Bernard A. Ready
1992	Donald O. Benson (Resigned 8-18-91)
1992	Katherine Brough
1992	Leonard W. Doolan III
1992	Dwight M. Hayward
1992	Bruce A. Kunkel
1992	Andrew V. Silinish
1992	Greta E. Roberts** (Unexp. 2 yr. term)
1992	Beyla V. Makovsky**

**Vacancy filled by Reps. Term expires at next Town Election

PRECINCT 8

TERM	NAME
1994	Bruce J. Harper, Sr.
1994	Alexander W. Gervais
1994	Peter G. Johnson
1994	Samuel Poulten
1994	Evelyn P. Bell
1994	Christopher T. Garrahan
1993	Walter A. Clevon
1993	Stuart G. Weisfeldt
1993	Doris J. Mahoney
1993	William P. Keohane
1993	William F. Dalton
1993	Richard J. Day
1992	Cynthia A. Walcott
1992	Carrie A. Steiman
1992	Henry E. Sullivan
1992	Richard P. Greska
1992	Daniel W. Burke
1992	Stanley W. Norkunas

PRECINCT 9

TERM	NAME
1994	Allan T. Galpin Jr.
1994	Cynthia J. Kaplan
1994	Frank R. Peterson
1994	Edward A. Cady
1994	Joseph M. Erbacher
1994	Phyllis Elias
1993	Eleanor D. Abbott
1993	Alan R. Pajak
1993	John S. Fudge, Jr.
1993	Roland E. Linstad
1993	Elizabeth A. McCarthy
1993	Doris A. Tereshko
1992	Alan L. Moyer
1992	Barbara J. Scavezze
1992	Samuel J. Brink
1992	Donald L. Elias
1992	James P. Good
1992	Charles A. Piper

ELECTED TOWN OFFICIALS**BOARD OF ASSESSORS (3 Yr. Term)**

Diane M. Phillips (appt.)	Term Expires 6/93
Ruth K. Delaney	Term Expires 6/92
Bruce Symmes (appt.)	Term Expires 6/94

CEMETERY COMMISSION (3 Yr. Term)

Everett V. Olsen	Term Expires 1994
Gerald L. Hardy, Chairman	Term Expires 1992
Charlotte P. DeWolf, Vice Chairman	Term Expires 1993

CONSTABLE (3 Yr. Term)

William E. Spence	Term Expires 1992
-------------------	-------------------

BOARD OF HEALTH (3 Yr. Term)

Paul E. McCarthy, Clerk	Term Expires 1994
Paul J. Canniff, Chairman	Term Expires 1992
Mark W. Gauthier, Vice Chairman	Term Expires 1993
Appt. Dr. Michael Dean	Term Expires 1992
Director: Richard J. Day	
Nurse: Judy Dunigan	

HOUSING AUTHORITY (5 Yr. Term)

William P. Keohane	Term Expires 1996
Lynn M. Marcella	Term Expires 1992
Robert L. Hughes	Term Expires 1993
Ruth K. Delaney, Chairman	Term Expires 1995
Pamela Turnbull (Gov. appt.)	Term Expires 7/93
Director: Lisa Royce	

LIBRARY TRUSTEES (3 Yr. Term)

Janet B. Hendl	Term Expires 1992
Sarah L. Warner, Chairman	Term Expires 1992
Elizabeth A. McCarthy, Treasurer	Term Expires 1993
D. Lorraine Lambert, Vice Chairman	Term Expires 1993
Lynda Reid Warren	Term Expires 1993
Kay Roberts, Secretary	Term Expires 1994
Nancy Knight	Term Expires 1994
Director: Mary E. Mahoney	

MODERATOR (3 Yr. Term)

Dennis E. McHugh.....Term Expires 1993

PLANNING BOARD (3 Yr. Term)

Christine Gleason, ClerkTerm Expires 1994
 Kim J. MacKenzie, ChairmanTerm Expires 1994
 James P. GoodTerm Expires 1994
 Ann McCarthyTerm Expires 1992
 John F. McCarthy.....Term Expires 1992
 Eugene E. Gilet.....Term Expires 1993
 Thomas J. Firth, Jr., Vice Chairman...Term Expires 1993

SCHOOL COMMITTEE (3 Yr. Term)

Barbara H. Ward, SecretaryTerm Expires 1994
 Carol A. OlssonTerm Expires 1992
 Wendy Marcks.....Term Expires 1992
 Judith B. Mallette, ChairmanTerm Expires 1993
 Mary E. Frantz, Vice ChairmanTerm Expires 1993
 Superintendent: Dr. Richard H. Moser

SELECTMEN (3 Yr. Term)

Dennis J. Ready, ChairmanTerm Expires 1992
 Henrick R. Johnson, Jr.Term Expires 1992
 Roger A. Blomgren.....Term Expires 1993
 William R. Logan, Vice ChairmanTerm Expires 1994
 Richard E. DeFreitas, ClerkTerm Expires 1994

SEWER COMMISSION (3 Yr. Term)

John P. Emerson, Jr., ChairmanTerm Expires 1992
 Robert P. Joyce, Vice Chairman.....Term Expires 1993
 Richard J. Day.....Term Expires 1993
 George Abely.....Term Expires 1994
 2 Yr. Term: Jeffrey A. Brem, ClerkTerm Expires 1992
 Sewer Superintendent: James Casparro

CEMETERY COMMISSION

Charlotte P. DeWolf, Chairman
 Gerald L. Hardy, Commissioner
 Everett V. Olsen, Commissioner

The Commission began the year by electing Dr. Everett Olsen to be Chairman of the Commission.

At the beginning of Fiscal 1991, the Cemetery Commission found a crisis of major import, when enough usable grave space to satisfy the needs of the Town's population would not be met.

A total of 4 graves were available at one cemetery, while at Pine Ridge Cemetery, the selection available was being taxed by the limitation of lots available at other Town Cemeteries.

While this pressure had been somewhat relieved in the previous year by expanding lot layouts in Fairview and West Chelmsford Cemeteries, it was obvious that energetic steps were required.

A master plan for the development and financing of Pine Ridge Cemetery was presented at a Selectmen's Meeting on April 2 by Mr. Frank Peterson, the Cemetery Superintendent. This plan delineated the steps necessary to keep this Cemetery available for future use. The plan superseded the one made almost 100 years ago, in 1899, which had now run its course. The plan presented can be expected to provide for a similar length of time.

Dr. Olsen followed by noting that the plan would impose no burden on the taxpayers of Chelmsford. It would be financed by available funds, and funds to become available to the Cemetery Commission.

The master plan was enthusiastically endorsed by the Selectmen and work on its implementation began immediately.

By the end of the year the outline for the next major extension of Pine Ridge Cemetery was visible. The clearing, earthworks, seeding and initial planting work are now in place and plans for available grave space for early 1993 are achievable.

As originally proposed, this major project has been accomplished at no cost to the Taxpayers of Chelmsford.

The Cemetery Commission had studied the manpower requirements of the Cemetery Department as related to workloads and decided to request funding for one less employee for the year, recognizing the Town's financial difficulties.

The Cemetery operating staff now consists of the Superintendent and two full time employees. The staff is to be congratulated on handling the operations of the six town cemeteries while the burial rate increased 22% to a total of 139 earth interments in the fiscal year.

We are pleased to note that the computerization of Cemetery records has been completed.

Maps for all active sections of the town cemeteries have also been computerized.

Our Cemetery Superintendent, Mr. Frank Peterson, has been elected to the Board of Directors of the Massachusetts Cemetery Association.

The Commission notes an increase in Cemetery Vandalism during this period. On the brighter side, we are pleased to note that citizens have come forward to donate cash in \$10 and \$20 increments to help defray the cost of the rehabilitation. At this time, all but \$400 has been paid by these donations.

Respectfully submitted,
 Frank R. Peterson
 Secretary to the Commissioners

HEALTH DEPARTMENT

Board of Health Members

Chairman	Paul Canniff
Vice Chairman	Mark Gauthier
Clerk	Paul McCarthy

Health Department Personnel

Director of Public Health	Richard J. Day
Asst. Director/Health Inspector	John P. Emerson, Jr.
Departmental Assistant	Diana L. Wright
Town Nurse	Judith Dunigan, R.N.
Town Physician	Eric P. Kaplan, M.D.

Septage and Wastewater Abatement Program

In 1991 the Septage and Wastewater Abatement Program continued its effort to clean up our waterways. The Board of Health has continued to run its dye testing and water sampling programs. Numerous tests have been performed by the Board of Health along with the issuance of septic system permits for repairs and new construction.

Administration and Management

Income for various services and permits is listed below:

Percolation Tests—64	\$ 3,200
Deep Tests—96	4,800
Sewage Repair Permits—80	2,000
Sewage Construction Permits—28	1,400
Miscellaneous License & Fees	16,185
	<hr/>
	\$27,585

During 1991 four inspections were made at existing day care centers; one-hundred sixty-eight inspections were made for Chapter II Housing; eight school inspections; Four-hundred eighty complaints received and checked; Camp Paul inspections; thirty bathing beaches inspections; five International Certificates of Vaccination, restaurant and retail food store inspections, one-hundred twenty-three establishments in town inspected twice a year.

Hazardous Waste and Industrial Wastewater

Richard J. Day (Director of Public Health) was reappointed by the Board of Selectmen as the town's Hazardous Waste Coordinator and Municipal Coordinator to enforce the "Right-to-Know" law for this town.

During our Annual Household Hazardous Waste Collection Day, held on May 11, 1991, we properly disposed of the following quantities of materials:

1. 24 barrels of Hazardous Materials
2. 1,200+ Gallons of Automotive Waste Oil
3. 225 Car Batteries
4. 368 Car and Truck Tires

New Regulations for the Protection of the Public Health

1991 was another productive year for the Board of Health. During this time frame the Board of Health implemented, initiated or upgraded regulations to control the areas of 1. Solid Waste—Dumpster Residential or Commercial Collection; 2. Created a comprehensive smoking regulation to deal with all aspects of smoke and tobacco products; and 3. A local waste oil regulation requiring its return to the stores where it was purchased for proper disposal.

Communicable Disease Program

Reports of the following diseases were completed during 1991 for the Massachusetts Department of Public Health:

Lyme Disease	2
Hepatitis B	2
Salmonella	7
Campylobacter Enteritis	15
Giardiasis	13
Viral Meningitis	2
Tuberculosis Control Program*	29
Kawasaki	1
Haemophilus Influenza	1
Toxoplasmosis	1

*Referrals received from the Lowell Chest Clinic and Middlesex Community Hospital TB Clinic.

The testing of persons exposed to tuberculosis and those persons whose employment require certification of freedom from that disease is another responsibility of the Town Nurse. One-hundred twenty Mantoux (TB) tests were given to town residents for pre-employment and to household contacts of active cases in compliance with the Massachusetts Department of Public Health regulations. Home visits and telephone calls are made to families of active and some inactive tuberculosis cases on a periodic basis to insure understanding of the illness and that adequate medical follow-up is achieved. Numerous medical records are kept and updated on residents who have a positive (TB) mantoux test and are receiving medication prophylactically and being followed radiologically at the Lowell Chest Program.

Immunization Program

The Board of Health and Council on Aging sponsored two flu clinics this year. One-hundred fifty persons were immunized with pneumonia vaccine and one thousand six-hundred three persons were immunized with flu vaccine at clinics. Additional doses were given to nursing homes, school nurses for staff, seven home visits were made to handicapped or house-bound residents and thirty-six doses to McFarlin Manor and Chelmsford Arms residents. A total of one thousand six-hundred three doses of flu vaccine were administered in town.

One-hundred ninety-seven immunizations were administered to adults and students in compliance with the Massachusetts School Immunization Laws and pro-

phylically to residents traveling to underdeveloped countries.

Hypertension Screening Program

Blood pressure screenings for residents are held the first Thursday of every month from 9:00 to 12:00 at the Board of Health, Town Offices. Three-hundred eighty-five residents attended the screenings.

Cholesterol Screening Program

Cholesterol screenings were offered to residents several times during the year. A nominal fee was charged and the dates were announced in the newspapers several weeks prior to the screening. One-hundred residents were screened for cholesterol.

Lead Paint Screening Program

The Health Department offers lead paint testing for children between the ages nine months and six years. Residents may call the Health Department at 250-5243 and make an appointment with the nurse. Seventy-eight children were screened for lead paint.

Other screenings offered by the Health Department include Diabetes and Mammography. Dates of these programs will be advertised in advance.

A Health Fair will be held in conjunction with Westford every other year, finances permitting.

CHELMSFORD HOUSING AUTHORITY ANNUAL REPORT July 1, 1990 to June 30, 1991

The Chelmsford Housing Authority Board of Commissioners worked diligently over the past year to complete work on the new elderly and family developments. The commissioners held the Dedication of Delaney Terrace, the new elderly development at 8 Sheila Avenue, North Chelmsford, on August 27, 1990. Delaney Terrace has forty-eight units, three of which are for the handicapped and one, four bedroom unit is for the frail elderly who need extra care, but are able to live semi-independently. All State and Town Officials, residents of Chelmsford and Delaney Terrace were invited to attend the Dedication. The four family units on Mill Road and the four family units on the corner of James and John Street opened in 1989. The three family units on Sheila Avenue opened in the Spring of 1990. One of the family units on Sheila Avenue in North Chelmsford is set up for a physically handicapped family member.

The Chelmsford Housing Authority in April 1991 signed an amended contract with MGIA Architects to build two, 4 bedroom units for the mentally retarded under the CH 589 Program. The Authority is currently working with the Executive Office of Communities & Development, the Executive Office of Mental Retardation and MGIA Architects, Inc. on the design of the units. Construction is anticipated to begin in 1993.

The Authority recently completed two modernization projects. One project vinyl-sided the community residence at 34 Middlesex Street, No. Chelmsford. The other project converted the water tanks heated by electricity to gas boiler/storage tanks at Chelmsford Arms, 1 Smith Street, Chelmsford. These projects were designed to assist the Authority in not only saving money, but also to conserve energy.

The Chelmsford Housing Authority programs as of June 30, 1991 provide a total of 353 units of low income housing: 198 Elderly, 14 Handicapped, and 141 Family. Six of these programs are funded by the Commonwealth of Massachusetts through the Executive Office of Communities and Development under Chapter 667, Chapter 705, and Chapter 707.

Chelmsford Arms, completed in 1974, has 56 regular units and 8 handicapped units. The Community Residence for the mildly to moderately retarded was purchased in 1974 and has 6 units. Six 2 bedroom condominiums in Pickwick Estates were purchased in 1981. McFarlin Manor, completed in 1981 has 43 regular units, 3 handicapped units, and one 4 bedroom congregate unit which serves the semi-independent elderly. These are all funded under Chapter 667. Under Chapter 707, the Authority's "Scattered Site" program that began in Chelmsford in 1974, the Authority has 26 units currently under lease in the private market. At one time the Authority had 33 units, however, due to State budget cuts 7 units were lost. Under the Chapter 705 Family Program, 11 units are scattered around Chelmsford.

The Section 8 Programs are funded by the Federal government through the Department of Housing and Urban Development. The Section 8 Existing Housing Program presently has 58 certificates under lease in the private market throughout Chelmsford and other communities and 84 vouchers under the Section 8 Voucher Program.

The Chelmsford Housing Authority fiscal year ending of June 30, 1991 lists assets at \$4,243,371.00, liabilities at \$4,243,371.00 for all programs. All developments are inspected annually by maintenance and administrative staff. The Authority is especially grateful to those organizations which express special concern for the Chelmsford Housing Authority residents and to the Chelmsford Garden Club for their assistance in the beautification of the developments every year.

Members of the staff include Lisa Royce, Executive Director, Helen Cantara, Administrative Assistant, Linda Dalton, Junior Clerk, Robert Trainor, Full-time Maintenance Mechanic, Richard O'Neil, Part-time Maintenance Laborer and Paul St. Louis, Full-time Groundskeeper.

Regular meetings are held at McFarlin Manor, 10 Wilson Street at 7:30 p.m. on the first Tuesday each

month. The Annual Meeting is first Tuesday in May. All meetings are open to the public. The Chelmsford Housing Authority Board of Commissioners would like to thank the residents of Chelmsford and Town Officials for their continued support and cooperation.

Respectfully submitted,

NAME	TITLE	TERM EXPIRES
Ruth K. Delaney	Chairman	1995
Robert L. Hughes	Vice Chairman	1993
William P. Keohane	Treasurer	1996
Lynn M. Marcella	Asst. Treasurer	1993
Pamela A. Turnbull	Member	1992
	(State Appointee)	

CHELMSFORD PUBLIC LIBRARY

Adams Library, 25 Boston Road, Chelmsford Center

Anna C. MacKay Memorial Branch Library
Newfield Street, North Chelmsford

Library Trustees

Sarah Warner, Chair
D. Lorraine Lambert, Vice-Chair
Elizabeth McCarthy, Treasurer
Kay Roberts, Secretary
Janet Hendl
Nancy Knight
Lynda Warren

The mission of the Chelmsford Public Library is to select, acquire, organize, store, and make easily accessible to all the people in Chelmsford, materials which will meet their informational, educational, and recreational needs. Materials are selected to satisfy residents as individuals, with concern for all ages, backgrounds, abilities, and levels of education. Hours, materials, and services should be in sufficient supply to make the library a dependable resource for most residents most of the time.

The Library recognizes its obligations to provide library services to handicapped residents who are prevented from using the library facilities due to structural barriers. To that end, an alternative method of service delivery will be provided when access is inhibited. The method will be determined on an individual basis with concern for individual needs. Furthermore, the Board of Library Trustees will continue to work toward a library facility which is fully accessible to all.

Services and Circulation: With the failure of the library's override vote in June, the library sustained a second year of budget cuts. These cuts were the equivalent of a 27% reduction in staff hours and a 38% reduction in the book budget. It failed to meet the

minimum municipal appropriation standard mandated by State of Massachusetts which disqualified it for State Certification. The library circulated 300,284 items during 1991 and answered an average of over 226 reference questions each week. A specialized collection of job and career materials was established through funding from the Friends of the Library in order to meet the ever increasing demand of job seekers.

Programs: The library sponsored lectures and programs throughout the year. These ranged from a successful Book Discussion Series funded through the MA Council for the Arts and Humanities to a Children's magic show.

The MacKay Branch Library's Mystery Book Group met weekly. An average of 7 storytimes were conducted for pre-school children each week at the Children's House and MacKay Branch Library. Over 800 children participated in the Summer Reading Program at the Children's House and MacKay Branch Library.

Volunteers: The library depended on volunteer help throughout the year to assist in a variety of tasks which included shelving, storytimes, painting, filing, typing and genealogical research. Staff and Trustees thanked all the volunteers with a reception in December.

The Friends of the Library worked throughout the year sorting and pricing books for their annual booksale. Proceeds from the Friends fund raising efforts supported library services and collections including a subscription to a CD-ROM periodical index; museum passes, books on job hunting and careers; and various children's programs.

Facilities: Reorganization continued in the Adams Library. Additional shelving was added to the basement level of Adams in order to alleviate overcrowding. New circulation desks in the Children's Library and Adams were provided through State Aid funding.

Personnel: Due to budget reductions, the Assistant Director's position was not funded. Joseph Wisniewski, Head of Reference, resigned after his position was reduced to part-time.

Library Site Committee: For nearly 18 months, the Library Site Committee did extensive research of possible sites that would be suitable for a new library. In December, the Site Committee recommended to the Library Board of Trustees, a piece of school owned property on Old Westford Road which is located between the McCarthy School track and Davis Road. In addition, the Chelmsford School Committee agreed to allow the Library Site Committee to explore the possibility of acquiring this land.

At their December 11, 1991, the Library Board of Trustees voted to pursue the feasibility of the McCarthy School site as the location of a new library.

Goals: The Library Trustees, Site Committee, and Endowment Committee will continue to work for a new or expanded library facility and for quality library service for residents.

Statistical Reports

Monies deposited with the Town Treasurer
 from fee, fine and lost materials \$17,572
 Circulation: 300,284
 Staff: 10 full time
 15 part time

Departments:

Reference: Sandra Yensen
 Children's: Cheryl Zani
 Circulation: Linda Robinson
 Community Services: Judy Buswick
 MacKay Branch: Rona Call
 Technical Services: Laura Kulik
 Maintenance: John Reslow

Library Site Committee

D. Lorraine Lamber, Chair
 Kathryn Brough
 William Gilet
 Gregory Gilleland
 Dorothea Howard
 Cynthia Kaplan
 Nancy Knight
 Carl Olsson
 Al Sidel
 John Sousa
 Sarah Warner
 Mary Mahoney, ex-officio

Respectfully submitted,

Mary E. Mahoney
 Library Director

PLANNING BOARD



(Front) Thomas E. Firth, Jr., Vice Chairman; Kim J. MacKenzie, Chairman; Eugene Gilet, Clerk; (Rear) Christine A. Gleason; James P. Good; Ann H. McCarthy; John F. McCarthy

Kim J. MacKenzie, Chairman
 Thomas E. Firth, Jr., Vice Chairman
 Eugene E. Gilet, Clerk
 Christine A. Gleason
 James P. Good
 Ann H. McCarthy
 John F. McCarthy
 Rayann E. Miethe, Principal Clerk

At the re-organizational meeting of 1991, the Chelmsford Planning Board elected the above-named officers. Mr. Eugene Gilet was also chosen to be the Board's representative to the Northern Middlesex Council of Governments. Due to budget problems we are all facing, a major change was decided to keep the office open only on a part-time basis. Therefore the hours of the Planning Board are currently 8:30 a.m. to 12:30 p.m.

The purpose of the Planning Board, which was established by the Massachusetts General Laws, Chapter 40, Section 70, is to make a careful study of the town's resources, as well as its needs, keeping in mind conditions which may prove injurious to the

health and welfare of the town's citizens, making plans for the development of the town and appropriate housing of its citizens. Additional functions may include reporting annually to Town Meeting and having an official map prepared.

In the year 1991, the economic crisis has affected everyone, especially the construction industry. Therefore the Town of Chelmsford had a decrease in its construction and the trend may continue. In the future, however, the Planning Board is hoping to see an increase in the commercial aspect of our community, and by working with new businesses, we are trying to help revive Chelmsford's economy.

A total of fourteen (14) hearings were held. At the hearings various issues and concerns were discussed resulting in one (1) subdivision consisting of two (2) lots on Boston Road being approved, as well as fifteen (15) Form A Plans Subdivision Control Law Not Required and five (5) Site Plans approved. One site plan was initiated in 1991 and currently is still in the approval process.

SCHOOL COMMITTEE



(Front) Jeffrey Metivier, Student Representative; Judith Mallette, Chairman; Richard Moser, Superintendent.
(Rear) Carl Olsson; Wendy Marcks; Barbara Ward, Secretary; Mary Frantz, Vice Chairman.

The 1991 calendar year has been filled with success for the Chelmsford School Department. Supported by the passage of a \$950,000 override and \$610,935 of salary concessions from all school personnel, the School Committee was able to retain over eighty positions and \$400,000 of operating expenses. The School Committee and all school personnel are appreciative of the support demonstrated by the entire school community. Education remains a high priority in Chelmsford, Massachusetts.

Mrs. Judith Mallette has served as chairman of the School Committee; Mrs. Mary Frantz, vice chairman; Mrs. Barbara Ward, secretary; Carl Olsson and Wendy Marcks, members at large. The major work of the committee has been in the area of policy development, updating our policy book and setting new policy important to the effective functioning of our schools.

Under the leadership of Superintendent Richard Moser, Assistant Superintendent David Troughton, Business Manager Sylvester Ingeme, and Director of Educational Technology Bernard DiNatale, an extensive planning activity has been conducted to build a foundation for future educational programs. Eight "beliefs" important to quality education were developed and adopted by the School Committee in December 1991. The eight beliefs include:

WE BELIEVE.....

EDUCATION IS VITAL TO A DEMOCRATIC SOCIETY.

EDUCATION REQUIRES AN ACTIVE PARTNERSHIP AMONG ALL SECTORS OF OUR COMMUNITY.

EDUCATION IS THE RIGHT OF ALL CHILDREN, NOT A PRIVILEGE.

EDUCATION IS COMPROMISED BY A LACK OF RESOURCES.

EDUCATION PROVIDES THE TOOLS FOR LIFELONG LEARNING.

EDUCATION REQUIRES A COMMITMENT TO ALL ASPECTS OF A CHILD'S GROWTH AND DEVELOPMENT.

SCHOOLS MUST REFLECT A COMFORTABLE ATMOSPHERE WHERE STUDENTS FEEL SUPPORTED IN THEIR EDUCATIONAL PURSUITS; WHERE NEW BEGINNINGS ARE ENCOURAGED.

SCHOOLS ENCOMPASS A COMMUNITY OF LEARNERS WHERE ALL STUDENTS CAN LEARN AT DIFFERENT TIMES, RATES AND WAYS.

Following the development of the belief structure, a mission statement was constructed to guide all future planning activities.

THE MISSION OF THE CHELMSFORD SCHOOLS IS TO CULTIVATE THE DEVELOPMENT OF STUDENTS INTO EDUCATED, SELF-CONFIDENT, LIFELONG LEARNERS AND RESPONSIBLE CITIZENS WHO POSSESS PERSONAL INTEGRITY AND THE ABILITY TO SUCCEED IN A GLOBAL SOCIETY.

Next steps in the planning process include the development of specific action plans for improvement in the areas of policy development, curriculum, teaching, staffing, budgeting, facility development, management, and community partnerships. The Chelmsford School Committee and central office administration believe careful planning, sound fiscal management, and a constant focus on the needs and interests of children are central to our success.

FROM THE PRINCIPAL OF CHELMSFORD HIGH SCHOOL

The Class of 1991 graduated 378 students. This was the lowest number of students to graduate from Chelmsford High School in over a decade. The decline in enrollment at the high school level is consistent with the national trend and all evidence leads us to believe that we will reach a plateau for the next few years.

In addition to declining enrollment we were also confronted with a decline of resources, which forced us to address our mission and reprioritize.

The 1990-91 academic year at Chelmsford High School was a positive and productive year in terms of meeting the needs of the students. This general assessment was determined by the normal measure of student attendance, student achievements in standardized testing, behavior outcomes, community service and performances; staff attendance and staff assessment of student achievement.

As Principal, I had three general goals for the year which focus on increasing and improving communications with the students, staff and community at large and in arranging a business/industrial council. These goals, of course, are on-going; however, it appears that with the positive outcome of the override vote for education that the community is well-informed and supportive of the students and the schools. The business/industrial council has produced specific links which will be explored in the 1991-1992 academic year.

In an effort to involve more parents at the High School, we phased out the Parent Advisory council and formed a Parent Teachers Organization.

In August/September a document is produced for distribution to the Superintendent, School Committee and the press which specifically states statistical data of the graduating class. Since all of the data has not been gathered as of this writing, that report will be submitted under separate cover. It is safe to say, however, that the Class of 1991 was one which set an excellent example for the underclasses. The maturity level of the Class of 1991 set the tone for the entire student body.

As mentioned above, the data reported on the graduating class is specific relative to academics, achievements and future plans. I would be remiss if I did not include in this report some of the individual honors bestowed upon our students such as Presidential Scholar, National Merit Finalists and Commendation Winners. Athletic All-Americans, National and State Student Council Presidents, six Boy Scout Eagles, and six Girl Scout Gold Medalists.

We initiated additional programs with the University of Lowell Graduate School of Education, College of Music and College of Engineering. We hosted two sessions of the Merrimack Education Center/Digital Equipment Corporation "Engineers into Education" program which resulted in the installation of the Telecommunications Mass. Learn Pike.

We experienced some unanticipated cuts at the outset of the academic year which resulted in the reduction of the physical education offerings and subsequently in a change of graduation requirements. These cuts also included an adjustment in the basic science classes and in the procurement policy of hiring substitutes for the professional as well as the support staff. The transition took place in a cooperative manner and without any disruptions.

User fees were instituted for all co-curricular programs and for student parking privileges. A rationale was communicated to students and parents and the cooperation was exemplary as the student participation levels were commendable and no student was denied the opportunity to participate due to financial need.

We were forced to cancel our foreign exchange trips due to the conflict in the Middle East. However, since the conflict was resolved in a short period of time we were able to restore our trip to England in June.

In spite of the decline in enrollment and in resources Chelmsford High School still had:

- 1 Presidential Scholar
- 8 National Merit Finalists
- 20 Commended Students
- 75% Entered 4 year colleges
- 9% Entered 2 year colleges
- 2% Entered technical schools
- 14% Work, travel, military

Through the eleemosynary activities of the Chelmsford Rotary, the Chelmsford Lodge of Elks, the All Sports Boosters, the Friends of Music, the taxpayers support of the 2½ override and the staff accepting a pay freeze we were able to deliver the same services in 1991-1992.

As the High School Principal I want to express my heartfelt appreciation to everyone for their support as it was imperative that the High School conduct our ten year self-assessment and evaluation on a positive note. Once this process is completed we will then be evaluated by the team of educators from throughout New England who will hopefully grant us accreditation as successfully meeting the standards set forth by the New England Association of Schools and Colleges.

FROM THE PRINCIPAL OF THE McCARTHY MIDDLE SCHOOL

The mission of the McCarthy Middle School is to provide the students with the opportunity to be involved in a learning environment that prepares them for future growth.

The curriculum should reflect the nature of change in our environment. We must constantly reorganize to meet the changes in a dynamic universe. There must be exposure to art, and other forms of multi-cultural expression, to social trends and habits, to political and economic diversity. The curriculum must focus on teaching students how to learn, how to think, how to organize thoughts, and how to systematically arrive at the solution to problems.

The enrollment of the school remains at approximately 1,130 students in grades six through eight. Significant changes continue to be made in both the curriculum and the manner in which services are delivered to the students.

The integration program for special needs students has been expanded to include both sixth and seventh grade students. In this program, the special education students receive their instruction in both science and social studies in the mainstream classroom. The instructional responsibilities for these students is shared by both the regular education and the special education teachers. Initial evaluation of this program has shown that it has been well received by students, parents, and staff.

After several months of committee work and in-service meetings, we have organized the seventh grade students and staff into instructional teams. This structure has been well received by both students and the staff members involved. Each team is comprised of a language arts, mathematics, science, and social studies teacher. Each of the four quarters this team is joined

by either a technical education, art, music, or home economics teacher. These five teachers are responsible for the same group of students all day long. This close contact with the same group of students provides the teaching staff with the opportunity to discuss the needs of individual students, to modify the curriculum when appropriate, and provide for the optimum delivery of services.

FROM THE DEPARTMENT HEAD FOR MATHEMATICS GRADES 9-12

The Chelmsford High School Mathematics Department continues to adapt its curriculum to meet the needs of our students while continuing to wrestle with fiscal limitations.

Hewlett-Packard donated thirty high-powered graphic calculators to Chelmsford High School and offered training workshops to all high school Mathematics and Science teachers. Donna Foley, Joseph Ford, Richard Olson, Anna Swierzbins, Barry Ware, Andrew Pasquale, Rebecca Nordengren, George Pollard, and John Ramalho were the mathematics teachers who attended these workshops.

Two new textbooks, Essentials of Mathematics and Consumer Mathematics were adopted and are now being used in our Basic Skills I and Basic Skills III courses. Textbooks Review committees are perusing various texts for possible adoption in Geometry Honors, Algebra One, Advanced Mathematics Honors, Algebra Two Honors, Algebra Three and Trigonometry and Calculus. Hopefully new textbooks will be adopted and purchased for these subjects over the next three academic school years.

Our students continue to perform well above the state and national averages on the Mathematics section of the Scholastic Aptitude Test. As usual, our students did extremely well on the Advanced Placement Examinations in Calculus AB, Calculus BC and Computer Science. Unfortunately, due to fiscal constraints and lack of sufficient enrollment, it does not appear that the Advanced Calculus AP or the Computer Science AP courses will be able to run in the 1991-1992 academic school years.

At a time when there is much statewide and national concern with respect to mathematics education and instruction, Chelmsford High School remains fortunate to possess a highly motivated, well qualified, dedicated and diversified staff. It is their constant efforts that will enable us to provide the students of Chelmsford High School with the skills necessary for them to succeed in our increasingly complex and changing society.

FROM THE DEPARTMENT HEAD FOR ENGLISH (GRADES 9-12)

The English Department at the high school is quite pleased with the inauguration of our "The Writings On the Wall" program; this effort has brought recognition to students who have experienced success in composing a piece of writing. The teachers in the department have submitted writings for display in the main corridor. Our hope is to extend the opportunity to students in all subject areas.

In addition, our students have received recognition through participation in a variety of activities. Louise Chen, Katie McSheehy and Patrick McCullum, all members of the Class of 1994, were honored for their achievements in writing through the UMass/Amherst Excellence in Expository Writing Program. Keith Patton, a member of the Class of 1991, was awarded the Bard College Prize for Critical Writing. Sara Goldreich, a member of the Class of 1993, placed locally and regionally in the Voice of Democracy speech writing contest sponsored by the Veterans of Foreign Wars. The achievement of a third place in the state and sixteenth nationally was earned by our top ten scorers in the national Ninth Grade Language Arts Olympiad. Our honors students continue to perform exceptionally well on the English AP standardized exam.

Through the efforts of Bernie DiNatale, Director of Educational Technology, our writing lab was upgraded from Apple to Macintosh computers; this allowed more sophisticated formatting of writing by students in our writing electives and year-long English classes; this also allowed our journalism students an opportunity to experience desktop publishing. We look forward to increasing students' critical thinking skills through use of computers and various teaching strategies including the Great Books approach. Chelmsford will be a workshop sight for this approach in April of 1992. The teachers of eleventh and twelfth grade English courses have been incorporating the study of art into the curriculum beginning with summer workshops provided through the effort of Dr. David Troughton, Assistant Superintendent of Curriculum.

FROM THE DEPARTMENT HEAD FOR SOCIAL STUDIES (GRADES 9-12)

The Chelmsford High School Social Studies Department has remained committed to preparing students to be responsible citizens of the United States of America and of an ever changing, ever shrinking world. This is accomplished through a curriculum that usually includes Political Science in the 9th grade, World or Ancient History in the 10th grade, U.S. History in the 11th grade and a series of semester and year-long electives. The electives include courses such as Economics, Sociology, Asian History, International Relations, The Holocaust, Law, etc.

The department has continued to provide a variety of educational opportunities that extend beyond the classroom and the regular school day. Student Government Day, The Chelmsford Education Foundation News Quiz, International Relations Club activities, Citizen Bee, National History Day and The Framingham State College Essay Contest are some of these opportunities. Speakers have also been invited into the school and field trips are taken to places such as Newport, Plymouth, Sturbridge, Boston and New York.

Experienced teachers in the department have been involved in preparation for accreditation. They have served on a variety of committees at school and dealing with system-wide topics. They have also continued their professional growth through reading, classes, workshops and regional conferences.

FROM THE DEPARTMENT HEAD FOR SCIENCE (GRADES 9-12)

The 1990-1991 school year was a busy one for the science department. Once again many of the members of the science staff participated in a variety of workshops, conferences and courses.

Mr. Bernard Queenan was accepted into the Lablink 2000 program offered by Boston University's School of Medicine. This program is an eight month commitment of Saturdays and a three week summer session. The focus of the program is to update the teacher in the field of biotechnology.

Mr. Michael Winn, Mrs Cheryl Mamalis and Mr. Michael Tate were also updated in the area of biotechnology at a three week summer workshop sponsored by the University of Massachusetts at Lowell. Mr. Richard Luce and Mr. John Prescott participated in a program at the University of Massachusetts Medical Center. The program addressed new developments in DNA, the effects of smoking and alzheimers disease.

Mr. Bruce Ford received a mini-grant for the development of a series of visitations to various industries in the area. The intent is to bring to the classroom applications that are being utilized by local industries. Mr. Mosto and Mr. Sorenson also participated.

There were two summer workshops held at the high school, both in the area of chemistry. The objective of the first one was to integrate a new textbook into the level III chemistry curriculum. The result was a curriculum change from number crunching to a more conceptual approach. From all indications the change was a successful one. The second workshop was on computer applications in the chemistry lab. Mr. Ralph Sherwood, Mrs. Cheryl Mamalis, Mr. Frank Turner, Mr. Michael Tate and Mr. Andy Sorenson participated in these workshops.

Once again thank you for your continued support.

FROM THE DEPARTMENT HEAD FOR PHYSICAL EDUCATION/HEALTH (GRADES K-12)

During the past year a series of "Growing Healthy" workshops was held to continue the phase-in of the new health education curriculum in grades K-5. Teachers as well as guidance counselors and nurses participated. The workshop series will be completed early next year.

Last spring over 60% of our 8th grade students earned CPR certification as a result of an innovative, joint effort of the middle school health education staff and the office of community education. This fall the middle school health education staff attended a "Skills for Adolescence" curriculum training workshop (core of the 7th grade program) in order to incorporate this program into 8th grade health education.

Ongoing and future projects include definition of a townwide AIDS education curriculum, revision of the 6th grade health education curriculum, analysis of and program planning for the health and physical education needs of students in grades 9-12, and development of a health and physical education newsletter.

FROM THE PROGRAM SUPERVISOR FOR ATHLETICS (GRADES 9-12)

The Chelmsford High School Athletic Department during the 1990-91 school year fielded 29 varsity teams, 12 junior varsity teams, 1 sophomore team, and 8 freshman teams. An overall record from 349 varsity contests was 202-134-13 with a total of 1,009 athletes competing. The department finished seventh for the Dalton Trophy as the most winning program in all of Division I.

GUIDANCE DEPARTMENT

Post Secondary Education Placements

In 1991, there were 378 graduates. Of those graduates, 324 went on to post-secondary education which represents 86%.

4 year colleges	282	(75%)
2 year colleges	35	(9%)
technical schools		
and post graduates	7	(2%)
	324	86%

In terms of non-educational placements, 42 students elected employment, ten joined the military, and two students were undecided.

Advanced Placement Program

In May of 1991, 113 students took 169 Advanced Placement examinations at Chelmsford High School with 75% of the grades falling in the 3-5 range. The program grades on a five-point college-level scale:

- 5—extremely well qualified
- 4—well qualified
- 3—qualified
- 2—possibly qualified
- 1—no recommendation

Generally, AP grades of 4 and 5 are comparable to college grades of A, and grades of 3 and 2 most comparable to college grades of B and C, respectively. Many colleges will award a third to a full year of placement and credit to successful AP candidates.

Drop Out Rate:

The drop out rate at Chelmsford High School continues to be low. During the 1990-91 academic year, CHS had a total student enrollment of 1516. The number of drop outs was 19, which represents a drop out rate of 1.2%.

ACADEMIC YEAR 1990-91

	Employment	Req. to Leave	Voluntary Withdrawal	Total
Boys	2	0	6	8
Girls	1	0	10	11
Total	3	0	16	19

Scholastic Aptitude Test Scores (SAT)

Chelmsford High School average scores for the Class of 1991 continue to be higher than the average Massachusetts and National scores.

In the verbal area, Chelmsford's average score was 457 which is 31 points higher than the state average (426) and 35 points higher than the national average (422).

In the math area, Chelmsford's average score was 503 which is 33 points higher than the state average (470) and 29 points higher than the national average (474).

Service Study and Career Exploration Programs

In the 1990-91 academic year, 131 students enrolled in eight Service Study and Career Exploration programs.

These two programs are elective, designed to combine practical experience with the students' academic studies as they use their free time to pursue an area similar to their chosen field. All students are placed in their preferred area and credits are earned according

to the number of periods they work, their performance and attendance.

Career Center

The Chelmsford High School Career Center continues to be a model for student awareness of college, vocational and career information. Students and parents use this facility for college search, occupations, descriptions of various career options, employment and also as a study area.

College representatives and speakers, as well as various military personnel are hosted in this area. Job postings are available to students. Counselors and teachers bring classess and homerooms to the Career Center to introduce students to the facility.

The Career Center is stocked with up-to-date college catalogues, college applications and financial aid information. Additionally, computers and Video Cassette Recorders are available to search for colleges, job descriptions, financial aid and scholarships.

The Career Center is open from 8:00 a.m. until 1:00 p.m. for students, parents, and the Chelmsford community at large.

FROM THE DEPARTMENT HEAD OF PRACTICAL ARTS 7-12

BUSINESS EDUCATION

The Business Department presently has five staff members with expertise in a wide range of Business and Distributive Education subject areas. Subjects taught are Introduction to Business, Typing I, Typing II, Accounting I, Accounting II, Word Processing I, Word Processing II, Fashion Merchandising, and Marketing. For the 1990-1991 school year a change was made in the Typing curriculum in which typing was changed from a full year class to a semester class. This was done to allow more students to elect to take Typing backed up to another semester course in the Business area or another discipline. This was continued for the 1991-1992 school year as many students did take advantage of the semester approach to typing.

1991 represented an outstanding year for the Marketing classes at C.H.S. The Marketing Club presented its annual Spring & Summer Fashion Show Fundraiser in conjunction with several local retailers. Strutting fashions geared to all the senior week festivities were 40 C.H.S. Marketing/Merchandising students. The crowd viewed a partiotic theme of colorful Champion Sweats furnished by Patterson's of Lowell. Image Hair Solon presented its hand painted collection of dresses, sweatshirts and sneakers as well as providing complimentary hairstyles and make-overs for th student models. Pamela's provided much of the casual 60's in-

fluence with black stretch pants and leggings coordinated with oversized looks in hand painted and applique designs. The Gap provided classics focusing on jeans and cotton attire. The Fashion Bug provided baby doll dresses, pant suits and the nautical influence. Afternoon Delight featured city shorts, separates and black/white semi-formals. The highlight of the evening was formal wear from the House of Concetta, Marnae's, and the Billerica House of Gowns. The fashion focus was mini-prom gowns in shades of ruby, fuchsia, royal blue and black. The males were not to be outdone as they appeared dapper in formal wear from Sully's of Chelmsford and Bedford/Billerica Formal Shop in North Billerica. Bill Spence acted as the disc jockey and emcee for the event. Proceeds from the show helped fund Marketing Career Conferences as well as awards to Merchandising Students.

The Marketing Club experienced another successful year as 62 students participated at the District Level Career Conference in which 38 students captured top honors qualifying them to represent Chelmsford at the State Career Conference in which over 700 students throughout Massachusetts participate. At the District Conference seven students won first place trophies, six students won second place trophies, and nine students won third place trophies, while sixteen students received certificate of merit for placing within the top seven of their category. Chelmsford swept awards in District 5 qualifying 38 students for the State Conference. At the State Career Conference, ten Chelmsford students received plaques for placing as a top ten finalist in all four competitive events, and five students received first, second or third place trophies qualifying them to attend the National Career Conference in Denver, Colorado. Experiencing the thrill of a National Conference with over 8,000 students in attendance were Manjula Sastry in the area of Fashion Promotion, Ethan Roberts in Food Marketing, Kerry Sousa in Apparel and Accessories, Anurag Nigam in Finance and Credit, Christi Cobery in General Marketing, and Beverly Conway the Marketing Advisor. Local businesses helping to defray total expenses included the Chelmsford Police Union, The Chelmsford Rotary Club, Paramount Cleaners, Notini's, Inc., and Label Art Inc.

HOME ECONOMICS

The goal of the Home Economics Department is to provide students in grades 7 through 12 with practical life skills. Because both parents are often working, or single parent families exist, there is a need for young people to accept responsibility at an early age.

Home Economics begins at the 7th and 8th grade level with a 10 week program that introduces both boys and girls to the basic skills in cooking, sewing, consumerism, and decision making. The curriculum continues with electives at the High School that include Chef's courses, Foods, Family Living, Sewing, and Child Development. The Early Childhood Education Program, using the Community Education sponsored Pre-School as a

laboratory for the high school students, continues to be successful. With the increase in number of students electing Early Childhood classes, the Child Care Center was able to be open until 1:50 p.m. Some of our students continued their education in this field, as more care giving services are needed. Education for child care and parenting will become more important in the next decade.

TECHNOLOGY EDUCATION

Students at the McCarthy Middle School enjoy the designing and construction of a race car and the design and construction of a dream house. Although every student has Technology Education classes for only one quarter of the school year, they seem to benefit from the class and receive a great deal of insight into the World of Technology that is just ahead for them.

Because of a reduction in staff, Grades 9-12 saw a reduction in the number of course opportunities for the students to choose from the courses remaining, saw a significant increase in class size. Courses offered in the Technology Education Department include:

GENERAL DRAFTING	TECHNICAL DRAWING
ARCHITECTURAL DRAWING	DIGITAL ELECTRONICS FINE
TECH. ED. EXPLORATORY	FURNITURE CONSTRUCTION
HOUSE CONSTRUCTION	SMALL ENGINE REPAIR

It is my hope that parents will research these courses and encourage their daughters and sons to sign up and take a few of these courses while at C.H.S.

FROM THE DEPARTMENT HEAD FOR FOREIGN LANGUAGE (GRADES 7-12)

At CHS, the changes in the course names in the Spanish and French sequences continued this year. The "A" designation used with the Italian and Latin courses was eliminated since it was an unnecessary part of each course name. The "A" designation will also be eliminated in the Spanish and French sequences as we continue the process of combining courses which have the same basic curriculum.

At McCarthy, the course names were changed to Spanish and French I and II. Because students in the 8th grade are no longer able to begin a foreign language, we saw an increase this year in the number of 7th graders opting to begin either French or Spanish. The FLEX course was not offered because of low enrollment, but it will be offered again next year as an 8th grade course.

Also, in the area of curriculum, a new text was chosen for the Latin program. Starting next year in Latin I we will be using the Jenny series published by Prentice-Hall. This new text series will also be implemented in Latin II, III, and IV during the next four years.

CHS was not immune from the effects of the Gulf War, and for the first time since the French Exchange was started 15 years ago, we did not send a group of students to France. The Exchanges to Spain and Italy were also cancelled because of concern over foreign travel. We did, however, maintain the hosting part of the program, and we welcomed groups from Spain and Italy in September and a group from France in April. There is every expectation that the Exchange Program will return to normal next year.

Funds which were available through the Staff Development account provided opportunities for members of the department to attend workshops on topics such as teaching Advanced Placement Spanish, incorporating higher order thinking skills in the foreign language class, using video and realia; and building self-esteem in language students. Curriculum work on enrichment activities for Spanish I, II and III was also funded through the Staff Development monies.

FROM THE DEPARTMENT HEAD FOR FINE ARTS (GRADES K-12)

Chelmsford Public Schools continues to maintain its reputation of providing an excellent Fine Arts education. Thanks to the leadership of Dr. Moser, the efforts of many, many people and the support of the community, an override was passed last spring. This accomplishment allowed us to continue to offer art, music and instrumental instruction system-wide and the dedication of a fine staff has enabled our programs to grow.

Many students from our Chorus, Band and Orchestra were selected to perform at district, regional, All-State and All-Eastern competitions. The Select Band from McCarthy Middle School received a Gold Medal for their outstanding performance at the Massachusetts Instrumental Conductors Association competition. The Art Department was well represented in both the Boston Globe Show and Art All-State. Chelmsford Public Schools gains recognition when student accomplishments are recognized in these state wide competitive exhibitions and performances.

The Choral and Instrumental groups in each school held a Winter Concert and a Spring Concert, in addition, choral students in grades four to twelve gathered in March for a Town-Wide Choral Festival, Elementary, Middle and High School strings players performed together in May at a town-wide Strings Festival and Band members from grades five to twelve marched in Chelmsford's Memorial Day and Fourth of July Parades.

A new Art Show was hung in the upper level of the Frank Page Gallery about once a month. Students from each school had opportunities to have their work selected. In March, the entire gallery was filled with stu-

dent artwork and every art teacher participated in an Opening Reception for the artists and their parents.

Pride in these successes is shared by all the teachers who have taught and encouraged students. The foundation for these accomplishments is built in Elementary and Middle School art and music classes where students learn the basic concepts and skills as well as the sense of personal satisfaction that is an essential product of creative education. Every child benefits when our fine and performing arts programs support and enhance regular classroom learning while providing exceptional students with opportunities to excel. This commitment to provide art and music education reflects a dedication to educational excellence in Chelmsford.

FROM THE DEPARTMENT HEAD FOR SOCIAL STUDIES (GRADES 6-8)

The school year coincides with the celebration of the 500th anniversary of Christopher Columbus' discovery. As a result, many classes began readings, discussions and projects dealing with this great event. The Bill of Rights 200th anniversary was celebrated with plays, newspaper articles and bulletin boards. The annual geography bee sponsored by National Geographic Society was held earlier this year in December. Six grade classes continue to work diligently with current events. Team I, 6th grade, again presented a short program on Veteran's Day. There has been a concerted effort to celebrate the holidays that affect social studies i.e. Martin Luther King, Lincoln, Washington and Memorial Day.

FROM THE DEPARTMENT HEAD FOR SCIENCE (GRADES 6-8)

Over the three years of middle school science, the students cover the physical sciences and environmental issues in the sixth grade; the life sciences in the seventh grade; and the earth sciences in the eighth grade.

The major goal of the middle school science curricula is to teach the students organization, listening, notetaking, logical thinking, and concept formation skills. These skills will assist them in the understanding and interpretation of the world around them. As the three years progress, students will become more involved in problem solving situations where they must form hypotheses, experiment, observe, record measured and collected data, and analyze results to form conclusions.

During the 1991-1992 academic year, the teachers in the science department, in addition to their regular classes, have been involved in the piloting and evaluation of new science texts, the revising of curricula, the

planning of science field trips, and the participation in inservice workshops and conferences on such topics as curriculum changes, new technology, co-operative learning and mainstreaming.

FROM THE DEPARTMENT HEAD FOR ENGLISH (GRADES 6-8)

During released time days and summer workshops, language arts teachers were able to begin up-dating the curriculum and re-evaluating departmental goals and objectives. Of special note are the expansion of a poetry component at grade 8 and also the development of a speech component at grade 8. Teachers at grade 7 have been learning to adapt to the teaming organization newly introduced at that level. They are concerned with maintaining basic skills and curriculum components while trying to develop interdisciplinary projects. This year also found more youngsters able to take advantage of word processing facilities in our computer lab.

Again this year the Language Arts Department conducted the Lowell Sun Spelling Bee; the Chamber Repertory Theater performed for students and was funded by Showboat, the annual student/faculty talent show. The Murray Writing Award was presented for the first time to an outstanding seventh grade author, and students at Grade 8 competed in the essay contest sponsored by the Chelmsford Emblem Club. Finally, 200 excited sixth graders were able to see "A Christmas Carol" at Merrimack Repertory Theater due to a grant from the Chelmsford Cultural Council.

FROM THE DEPARTMENT HEAD OF MATHEMATICS (GRADES 6-8)

The nature of Mathematics in the Middle School is one of diversification in curriculum and aptitude. It is the mission of the McCarthy Middle School Math Department to assist each student in achieving their individual potential within one of the five levels offered, including accelerated programs in Algebra and Geometry. With the emphasis on problem solving, we have successfully introduced several math competition programs to challenge the average and above average students and we incorporate the use of hands-on math manipulatives including calculators and computers for the below average and remedial students. Approximately 700 students continue to compete in the Continental Math League and New England Math League Contests.

Some new initiatives undertaken this year include the Math Counts National Competition Program and a pilot program for Pre-Algebra in grade eight. Our teachers, in addition to teaching regular classes, are actively continuing their education in the areas of new programs,

mainstreaming and updating curriculum through the successful In-Service Workshop programs. Teachers also attended various conferences including the National Council of Teachers of Mathematics Regional Conference.

The success of our program is evident in the accomplishments of several students who scored perfect scores and received recognition for their participation in Continental Math League. Our results in National testing reinforces our belief that our goals are achievable and our methods our productive.

This year the Robert McCullough Mathematics Trophy was awarded to Michael Phillips.

FROM THE ADMINISTRATOR OF SPECIAL EDUCATION

Massachusetts' Chapter 766 and the Federal Government's Public Law 94-142, the Education of Handicapped Children Act, were enacted to assure that all handicapped children have a free and appropriate education to be provided by the local community.

The Special Education Department in Chelmsford is responsible for providing effective programs and services for children, ages three through twenty-one, who are found to have special needs.

Part of this responsibility is to assure that each handicapped student receives an education designed to meet his or her unique learning needs and to receive the services in the least restrictive environment.

As of December 1, 1991 the Special Education Department had 888 students registered to receive special education services, which represents 17.1 percent of Chelmsford's total school enrollment.

A staff of seventy-one special education personnel develop and implement the individualized educational plans for these students. For those students with severe learning and/or emotional needs, Chelmsford provides for placement in private day or residential schools as approved by the State Department of Education.

Chelmsford has received a supplemental grant from the Massachusetts Department of Education to pursue the issue of integrating Special Needs Students into the mainstream of regular education. A Regular Education Initiative Task Force of regular and special educators has been formed to determine need and recommend activities for integration.

For the 1991-1992 school year, the Chelmsford Special Education Department has a budget of \$3,705,595. of which \$308,365. is provided through grants by the federal government.

The Special Education Department will continue its quest to provide effective and cost efficient programs and services for the children we serve.

FROM THE DIRECTOR OF COMMUNITY EDUCATION

During 1991, the Office of Community Education continued to offer self-supporting programs to both students and adults. Three semesters of Adult Education which include Northeastern and Middlesex college courses, school age child care, and summer programs continue to be popular with both our residents and members of the Greater Chelmsford Community.

Our focus of growth has been on after school programs for our students. Working with the middle school health education staff we certified approximately 200 eighth grade students in C.P.R. We have also begun a new program, Above and Beyond in Chelmsford Schools (ABC's), which has already given 600 elementary students after school enrichment experiences in our elementary buildings.

We look forward to working with our residents during 1992 to offer quality programs. Please look for the Community Education brochure which is mailed to all residents during August, December and March.

FROM THE DIRECTOR OF DATA PROCESSING

Since 1981, when the School Department started its own in-house computerization effort, all major school business related applications have been automated on our computer systems. These systems include a DEC 11/44, VAX 750, and various microcomputers. In-house staff now maintain all data bases on students, accounting, personnel, census, scheduling, attendance, report cards and a plethora of other applications.

Many of the computer systems which are used in these business applications are nearing the 10 year mark. The hardware and software is approaching the end of its cost effective life. Older computer technologies are more expensive to maintain and do not take advantage of the ability to reduce our operating costs with newer electronic technology. Above all, the development of software and information systems must be focused on max-

imizing the value and utility of information while minimizing the cost and effort to the user.

With these objectives in mind, the schools and town offices hope to implement LAN's (Local Area Networks) to include the whole range of distributed and network computing.

Other town departments serviced in some way by the School Computer Services Department include: Town Clerk, Council on Aging, Town Accountant, Town Candidates for Office, Town Library, Selectmen's School Warrant Report, Community Education, PTA, Booster Club, Nashoba Valley Technical Vocational School, Police Department, Commission on Handicapped, Sewer Commission and Planning Board.

IN CONCLUSION:

Sincere thanks once again are extended to the town officials and boards, to the school staff, school volunteers, to the School Improvement Councils and to the parents and citizens for their assistance during this past year.

The School Committee wishes to extend its deep appreciation to the following staff members for their years of loyal and meritorious service and who have retired this past year:

Geraldine Anderson	-Instructional Educ. Support Personnel, Parker School
Lennea Barger	-Educational Support Personnel Parker School
Pauline Clermont	-Food Service, High School
Joseph Demers	-Maintenance Employee, Systemwide
Mildred Hehir	-Guidance Counselor, High School
Kenneth Howard	-Custodian, Parker School
Florence Kyriazos	-Teacher, Parker School
Mildred Larock	-Educational Support Personnel, Westlands School
Evelyn Loose	-Teacher, Harrington School
Anne Newcomb	-Secretary, High School
Mary Ellen Normandin	-Director of Elementary Education, Systemwide
Barbara Nowacki	-Teacher, South Row School
Donald Parkhurst	-Teacher, High School
Edward Quinn	-Dean, High School
Marjorie Semple	-Teacher, South Row School

NASHOBA VALLEY TECHNICAL HIGH SCHOOL

Nashoba Valley Technical High School is accredited by the New England Association of Schools and Colleges, Inc. and provides its students with on-the-job training, saleable skills, a co-op program, a high school diploma, a trade certificate, an opportunity for further education at a college of their choice and job placement.

Over the past decade, the record of employment for our graduates has averaged more than 90%. Each year, qualified seniors may elect to take advantage of our Co-op Training Program which allows senior students to work in industry during their shop weeks and receive valuable training in their chosen fields as well as a salary.

The following programs are offered at Nashoba Technical High School:

Technical Programs

Auto Body	Horticulture/Landscaping
Automotive	Machine
Carpentry	Medical Occupations
Culinary Arts and Baking	Metal Fabrication
Data Processing	Painting and Decorating
Drafting	Plumbing and Heating
Electrical	Printing
Electronics	Building & Grounds (Special Education)

New Program offered this year—Office Technology

Academic Programs

English	Geometry
Social Studies	Trigonometry
U.S. History	Advanced Mathematics
Consumer Education	Biology
General Mathematics	Physics
Algebra	Chemistry
How to Start Your Own Business	

In addition to the technical and academic programs, a full Inter-Scholastic Athletic Program is offered to the students.

ADULT EDUCATION

Nashoba Valley Technical High School's Adult Education Program is open to anyone of high school age or over. Residents from all communities are welcome to participate in the many diversified courses which are offered during both the fall and spring semesters. This year 448 students enrolled in our Adult Education Program during the fall and winter semesters.

ADULT DAY CLASSES

This year, to accommodate district citizens who are unemployed or under employed, the Nashoba Tech has offered to accept adults into some of the technical pro-

grams where seats are available. This program helps unemployed or underemployed attain the skills needed to find a new position or better qualified in their present positions, thereby offering the underemployed a chance at promotions.

NASHOBA VALLEY TECHNICAL HIGH SCHOOL

Serving the Towns of Chelmsford, Groton, Littleton, Pepperell, Shirley, Townsend and Westford.

DISTRICT SCHOOL COMMITTEE

Howard Burns, Chairman	Pepperell
Irene Machemer, Vice Chairman	Townsend
Charlotte Scott, Secretary	Westford
Thomas Carey	Chelmsford
Robert Union	Westford
Ellen Hargraves	Groton
John Donohoe	Chelmsford
Stratos Dukakis	Chelmsford
Augustine Kish	Littleton
Karen Johnson	Shirley
Joan O'Brien	Westford
Jerilyn Bozicas	Pepperell

ALTERNATES

Harvey Atkins, Jr.	Littleton
Stephen Dunbar	Townsend
Kevin Finnegan	Westford
L. Peter Noddin	Shirley
Jordan Waugh	Groton
Ronald Wetmore	Chelmsford
Alfred Buckley	Pepperell

ADMINISTRATION

Bernholdt Nystrom	Superintendent-Director
David McLaughlin	Asst. Director/Principal

SUPERVISION

Victor Kiloski	Academic Coordinator
Paul Royte	Guidance Director
Paula Page	Special Education Coordinator

BUSINESS MANAGEMENT

Ralph Dumas	Accounting Manager
-------------	--------------------

Nashoba Valley Technical High School's enrollment, as of October 1, 1991, is as follows:

Chelmsford	110
Groton	41
Littleton	33
Pepperell	87
Shirley	47
Townsend	51
Westford	71
Tuitioned	66
Total	506

REPORT OF THE SEWER COMMISSION



(Front) Robert Joyce & John Emerson, Jr.; (Rear) Richard Day, George Abely, & Jeffrey Brem

In 1991, construction efforts shifted to residential neighborhoods in South Chelmsford. Since the completion of trunk interceptor sewers and main pumping stations in 1989, the Commission has concentrated its efforts on extending lateral sewers to those residential areas identified by the wastewater facilities plan as having the greatest need for municipal sewers.

Construction was completed in the Kensington Drive area and the Golden Cove Road area, two neighborhoods within the Aquifer Protection District. Construction was intense in the Old Stage area, Farms II area, the Domenic Drive area, and in other small residential sections of North Chelmsford, all areas with major septic system and soil problems. These projects are funded by 50% and 70% state grants.

The other major sewer construction project in 1991 encompassed a private sewer extension of the public sewer on Littleton Road. This project, designed and constructed entirely with private monies, was completed in late 1991, except for final overlay pavement.

The state has still, as yet, not finalized its plans to replace the current grant programs with a new revolving loan program. The Commission is carefully reviewing all components of this program. In 1991, the Commission testified at the State House in support of wastewater funding programs. We remain committed to the maximization of all potentially available state and federal financial assistance.

Our efforts now concentrate on extending lateral sewers to those residential areas identified by the wastewater facilities plan as having the greatest need for municipal sewers. The future areas to be serviced include:

- Farms I Area
- Warren/Hall/Brian Area
- Westlands A & Westlands B
- North Road Area
- Westford Street Area
- Crystal Lake Area
- East Chelmsford; and
- Hart Pond

As part of the phased program approved by voters in 1989, the future areas to be sewerred include neighborhoods with failing septic systems, septic systems which cannot be repaired, poor soils, high groundwater, and those within the drinking water aquifer.

To date, 3,295 homes and businesses have been provided with municipal sewer service. This represents 29% of the entire town. There still are 3,507 homes scheduled to be serviced, representing an additional 31% of town. When complete, the project will provide service to 6,802 homes and businesses, representing 60% of the town.

	Accepted For Use	Under Construction
Gravity Sewers (in Ft.)		
8-inch	125,160	72,632
10-inch	19,293	3,437
12-inch	14,710	10,305
15-inch	7,746	—
18-inch	1,763	—
24-inch	6,414	—
27-inch	2,400	—
Total	177,486	86,374
Force Mains	22,720	12,280
Custom (Large) Pump Stations	2	—
Package (Small) Pump Stations	4	5

Unquestionably the best news regarding the sewer project to date has been the fact that the entire project, in excess of \$38,000,000 of construction, has remained within budget.

While we recognize we've been fortunate, we also feel strongly that our management practices and cost control programs have contributed to our success. We also are experiencing first hand the cost advantages of constructing at a time when the bid climate of the construction industry is extremely competitive.

The Commission would like to acknowledge our support staff, Evelyn Newman, Jacqueline Sheehy and Gail Loiselle, for their hard work and meritorious service. Their multifaceted duties are shared by the Sewer Division of the Department of Public Works, and they are the individuals who interface with the public on a daily basis.

Respectfully submitted,
CHELMSFORD SEWER COMMISSION

John P. Emerson, Jr., Chairman
Robert P. Joyce, Vice Chairman
Richard J. Day, Clerk
Jeffrey A. Brem
George Abely

APPOINTED TOWN OFFICIALS

TOWN MANAGER

Bernard F. Lynch
Appointed 9-11-89

TOWN CLERK

Mary E. St.Hilaire

TOWN TREASURER

James R. Doukaszewicz

TOWN ACCOUNTANT

Bernard Myler

BOARD OF ASSESSORS

Diane M. Phillips
Ruth K. Delaney (elec.)
Bruce Symmes

DEPARTMENT OF PUBLIC WORKS

James Pearson, Director

Highway Division

John E. Long, Superintendent
Bob Lloyd, Foreman
Roy Costa, Foreman

Engineering Division

James Pearson, Town Engineer

Recreation Commission

Lorraine Murphy, Clerk

Public Buildings Division

Robert Deletetsky, Superintendent

Parks Division

Ed Jamros

Sewer Division

James Casparro, Superintendent

FINANCE COMMITTEE

Appointed by Moderator

Dwight M. Hawyard, Chairman	12/93
Cheryl Boss	11/93
Edward Marshall	10/92
John E. Morrison (replaced Graham)	11/93
Myra Silver	1/92
George Simonian	1/92
Brian R. Sullivan	9/92
Ann Graham (resigned)	
Susan Olsen, Clerk	

FIRE CHIEF

Robert L. Hughes

Dep. Chief: James Sousa

Dep. Chief: Charles Galloway

POLICE CHIEF

Raymond McKeon

Dep. Chief: James Greska

TOWN OF CHELMSFORD, MASSACHUSETTS
COMBINED BALANCE SHEET—ALL FUND TYPES AND ACCOUNT GROUP
JUNE 30, 1991

	GOVERNMENTAL FUND TYPES			FIDUCIARY FUND TYPES	ACCOUNT GROUP GENERAL LONG TERM OBLIGATIONS	TOTALS (MEMORANDUM ONLY) JUNE 30, 1991
ASSETS:	GENERAL	SPECIAL REVENUE	CAPITAL PROJECTS	TRUST & AGENCY		
CASH	\$1,266,113	\$1,529,990	\$4,558,749	\$1,026,874	\$ —	\$8,381,726
INVESTMENTS	—	—	—	822,293	—	822,293
INVESTMENT IN DEFERRED COMPENSATION PLAN	—	—	—	1,339,386	—	1,339,386
PROPERTY TAXES RECEIVABLE:						
CURRENT YEAR	2,475,136	—	—	—	—	2,475,136
PRIOR YEARS	173,379	—	—	—	—	173,379
OTHER ACCOUNTS RECEIVABLE:						
MOTOR VEHICLE EXCISE TAX	205,539	—	—	—	—	205,539
TAX LIENS	604,617	—	—	—	—	604,617
DEPARTMENTAL	8,550	—	—	73,534	—	82,084
INTERGOVERNMENTAL	—	209,968	1,487,757	—	—	1,697,725
OTHER ASSETS	30,412	—	—	—	—	30,412
AMOUNTS TO BE PROVIDED FOR RETIREMENT OF LONG TERM OBLIGATIONS	—	—	—	—	26,767,610	26,767,610
TOTAL ASSETS	\$4,763,746	\$1,739,958	\$6,046,506	\$3,262,087	\$26,767,610	\$42,579,907
LIABILITIES:						
WARRANTS PAYABLE	\$ 326,977	\$ 14,810	\$ 154,498	\$ —	\$ —	\$ 496,285
PAYROLL WITHHOLDINGS	414,104	—	—	—	—	414,104
OTHER LIABILITIES	48,122	—	—	—	—	48,122
DEFERRED COMPENSATION PAYABLE	—	—	—	1,339,386	—	1,339,386
POLICE DETAILS AGENCY	—	—	—	(69,986)	—	(69,986)
DEFERRED REVENUE	3,057,487	209,968	—	73,534	—	3,340,989
BONDS AND NOTES PAYABLE	—	—	2,023,549	—	26,767,610	28,791,159
TOTAL LIABILITIES	3,846,690	224,778	2,178,047	1,342,934	26,767,610	34,360,059
FUND EQUITY:						
FUND BALANCES:						
RESERVED:						
ENCUMBRANCES	672,559	—	—	—	—	672,559
ENDOWMENTS	—	—	—	553,198	—	553,198
UNRESERVED:						
DESIGNATED (NOTE 9)	755	1,515,180	3,868,459	1,365,955	—	6,750,349
UNDESIGNATED (NOTE 8)	243,742	—	—	—	—	243,742
TOTAL FUND EQUITY	917,056	1,515,180	3,868,459	1,919,153	—	8,219,848
TOTAL LIABILITIES AND FUND EQUITY	\$4,763,746	\$1,739,958	\$6,046,506	\$3,262,087	\$26,767,610	\$42,579,907

The accompanying notes are an integral part of these general purpose financial statements

TOWN OF CHELMSFORD, MASSACHUSETTS
COMBINED STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES
IN FUND BALANCES
ALL GOVERNMENTAL FUND TYPES AND EXPENDABLE TRUST FUNDS
YEAR ENDED JUNE 30, 1991

	GOVERNMENTAL FUND TYPES			FIDUCIARY FUND TYPES	TOTALS
	GENERAL	SPECIAL REVENUE	CAPITAL PROJECTS	EXPENDABLE TRUST	(MEMORANDUM ONLY)
REVENUES:					
PROPERTY TAXES	\$29,593,542	\$ —	\$ —	\$ —	\$29,593,542
INTERGOVERNMENTAL—STATE	8,374,490	180,273	891,137	—	9,445,900
INTERGOVERNMENTAL—FEDERAL	—	562,814	143,292	—	706,106
MOTOR VEHICLE EXCISE TAX	2,031,680	—	—	—	2,031,680
INVESTMENT INCOME	412,108	3,137	1,372	78,604	495,221
SEWER	—	513,944	7,718	—	521,662
DEPARTMENTAL	2,941,147	1,905,398	—	628,933	5,475,478
TOTAL REVENUES	43,352,967	3,165,566	1,043,519	707,537	48,269,589
EXPENDITURES:					
GENERAL GOVERNMENT	4,780,882	35,694	185,254	1,195,752	6,197,582
PUBLIC SAFETY	5,868,443	—	—	1,703	5,870,146
EDUCATION	22,539,066	2,304,800	174,865	—	25,018,731
PUBLIC WORKS	3,479,995	166,181	5,867,487	—	9,513,663
CEMETERY	240,037	—	—	—	240,037
HUMAN SERVICES	593,817	47,004	—	—	640,821
CULTURE & RECREATION	687,717	60,061	31,840	373	779,991
DEBT & INTEREST	5,637,686	—	—	—	5,637,686
STATE & COUNTY ASSESSMENTS	181,328	—	—	—	181,328
TOTAL EXPENDITURES	44,008,971	2,613,740	6,259,446	1,197,828	54,079,985
EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES	(656,004)	551,826	(5,215,927)	(490,291)	(5,810,396)
OTHER FINANCING RESOURCES (USES)					
BOND PROCEEDS	—	—	3,787,610	—	3,787,610
OPERATING TRANSFERS IN	813,250	—	34,050	746,963	1,594,263
OPERATING TRANSFERS OUT	(729,987)	(557,313)	—	(265,000)	(1,552,300)
TOTAL OTHER FINANCING SOURCES (USES)	83,263	(557,313)	3,821,660	481,963	3,829,573
EXCESS (DEFICIENCY) OF REVENUES AND OTHER FINANCING SOURCES OVER EXPENDITURES AND OTHER USES	(572,741)	(5,487)	(1,394,267)	(8,328)	(1,980,823)
FUND BALANCE AT BEGINNING OF YEAR	1,489,797	1,520,667	5,262,726	1,374,283	9,647,473
FUND BALANCE AT END OF YEAR	\$917,056	\$1,515,180	\$3,868,459	\$1,365,955	\$7,666,650

The accompanying notes are an integral part of these general purpose financial statements

DEPARTMENT OF ELDER AFFAIRS

Despite the recession with some depression, our agency fortunately continued to grow, to innovate and to meet the challenges of the 90's.

HIGHLIGHTS

Nutrition: Starting this past September the Congregate Lunch and our Meals on Wheels Program operated directly out of the Senior Center. During the first four months, 9,763 lunches were served and 6,018 meals were delivered to home-bound elders. The cost for a meal is one dollar (\$1) and it's nutritiously balanced, exceptionally tasty, and there is plenty of good sociability.

Intergenerational Partnerships: This was an excellent year for cooperation and development between the Council on Aging (COA) and School Department.

- Chelmsford senior citizens raised \$3,500 for CHS "Athletic and Activity Fund."
- Students of the McCarthy Middle School raised \$3,200 for the Meals on Wheels Program by holding a walk-a-thon.
- High School students of the Thomas Jefferson Forum working with the CPO and area nursing homes held "Senior Day," a "Senior Prom," and the special "Senior Olympics."
- Chelmsford hosted an Intergenerational Conference for the entire Merrimack Valley which drew school administrators, municipal officials and members of the aging network.

Each week...over 1,200 people use the Senior Center and take advantage of its programs and services.

- fifty elderly shut-ins are visited by our Friendly Visitors, Senior Aides and Outreach Worker
- eighty seniors are transported on 125 trips to day care centers, hospitals, doctors' offices and shopping
- support groups are offered for widows, stroke victims and family members who have loved ones afflicted with Alzheimers Disease

Special thanks to: The many (approx. 150) volunteers who contribute so significantly to the Senior Center's operation

- The Friends of the Senior Center who so generously gave \$113,882 for building improvements, staffing and operational expenses.
- The members of the Council on Aging (COA) who gave their time, ideas and love to make it all possible.

Director of Elder Affairs
Marty Walsh

COA Members

Robert Clough, Chair	Wilbur Davis, Vice Chair
Mary Conti, Secretary	Gene Raby
Charles Pechulis	Franchon Larson
Candice Gregorian	Jean Mark
Michael McCall	Lois Manty

FIRE DEPARTMENT

The economy again in Fiscal 1991 has taken its toll on the Fire Department and public safety in general. As of June 30th the Fire Department, because of budget restraints and a defeated override attempt, had to layoff an additional six (6) members. This shortage of personnel forced the closing of our West Chelmsford Fire Station. The total members laid off now stands at ten (10). This has greatly hampered our response time and our mission to protect the life and property of the people townwide.

We have had two retirements this fiscal year. Jack Hadley, a thirty-two (32) year veteran has retired and David Gelineau, a member for fourteen (14) years has retired on a job related disability. I would like to thank them for their years of dedicated service to the town.

Our mission to protect the life and property of the townspeople under the restraints of this present economy remains our highest priority.

I would like to thank the Board of Selectmen, the Town Manager and all other officials for their excellent cooperation of the Fire Department this past year. I would sincerely like to thank the members of the Chelmsford Fire Department, the office staff and our mechanics for continuing to uphold the high standards of service to the townspeople under the tough restraints we are facing.

Respectfully submitted

Robert L. Hughes
Fire Chief

CHELMSFORD FIRE DEPARTMENT CALLS—1991

	A	B	M	MA	I	O	S	F	Monthly Calls
January	5	5	67	1	49	3	87	4	221
February	6	19	47	0	41	2	83	2	191
March	4	3	54	0	64	7	122	6	260
April	8	1	68	4	63	43	128	10	325
May	4	7	72	3	58	13	145	4	306
June	6	7	63	2	69	12	119	10	288
July	6	5	70	2	66	19	93	5	266
August	6	8	77	1	92	14	79	17	294
September	5	2	61	0	51	14	81	12	226
October	9	2	60	1	48	6	69	5	200
November	5	4	67	0	42	14	50	0	182
December	6	3	65	4	63	6	72	1	220
Totals	70	57	771	18	706	153	1,128	76	2,979

FIRE DEPARTMENT CODES

A—Auto Fire B—Building Fire M—Medical Assistance I—Investigation O—Outside Fire S—Service Call F—False Alarm

DEPARTMENTAL PERSONNEL

NAME	POSITION		
Adley, Walter	Firefighter	Hadley, Jack	Firefighter
Anderson, Arthur	Firefighter	Hadley, William	Firefighter
Bennett, Robert	Firefighter	Hayes, Paul D.	Firefighter
Boermeester, J.	Captain	Henderson, Paul	Firefighter
Burke, W. Michael	Captain	Hughes, Robert L.	Chief
Cady, William	Firefighter	Jamer, William	Firefighter
Campbell, David	Firefighter	Johnson, Peter	Firefighter
Campbell, William	Firefighter	Keeley, James	Mechanic
Carroll, John	Firefighter	Keohane, Dennis	Firefighter
Cincevich, Anthony	Firefighter	Keohane, William	Firefighter
Clancy, David	Firefighter	Kydd, Raymond	Firefighter
Clarke, Kevin	Firefighter	Magiera, Emil	Firefighter
Conlin, Francis J.	Firefighter	Martin, Leo	Firefighter
Conlin, F. Mark	Firefighter	McTeague, Michael	Firefighter
Curran, James	Firefighter	Merrill, Leslie	Firefighter
Curran, Michael F.	Captain	Miller, Richard	Firefighter
Curran, William	Firefighter	Nolet, Edward	Firefighter
Cutter, James	Firefighter	O'Neil, Richard	Firefighter
Dalton, William F.	Firefighter	Reid, Daniel	Firefighter
DePalma, John	Firefighter	Reid, James	Firefighter
Desaulnier, Martha A.	Principal Clerk	Reid, John	Firefighter
Donovan, Bruce	Firefighter	Ridlon, Michael	Firefighter
Drew, Donald	Firefighter	Rivard, Arthur	Firefighter
Durkin, James	Firefighter	Robinson, John	Firefighter
Flaherty, James	Firefighter	Schramm, Charles	Captain
Foster, Jesse	Firefighter	Sousa, James	Deputy
Frobese, Ernest	Firefighter	Spinazzola, Joseph	Firefighter
Galloway, Charles	Deputy	Spinney, James	Captain
Gelineau, David	Firefighter	Stanton, Brian	Firefighter
Goode, Terrance	Firefighter	Ubele, John D.	Firefighter
Grenon, Richard	Firefighter	Vaccaro, Anthony	Mechanic
Griffin, Anna	Junior Clerk	Vargeletis, Dennis	Firefighter
Hadley, David	Firefighter	Wetherbee, Peter	Firefighter

BOARD OF ASSESSORS

Diane M. Phillips, M.A.A., Chairman
 Ruth K. Delaney, M.A.A. Richard Tevlin (Left July 1991)
 Bruce A. Symmes, C.M.A., R.M.A., M.A.A., (started
 August 1991)

ASSISTANT TO THE ASSESSORS

Nancy L. Maher

PRINCIPAL CLERKS

Marie Ronan
 Elaine McBride

SENIOR CLERK

Elaine Myers

Fiscal Year 1991 was an exceptionally busy year for the office. The office was preparing and checking work for the recertification of values for Fiscal Year 1992. Values were dropping, and even though values will go down taxes will increase.

Abatement requests, especially from the commercial and industrial properties increased.

Assessor Richard Tevlin left after three years of service to pursue a career in Las Vegas.

The office is exceptionally fortunate to have had appointed as an Assessor Bruce Symmes. Bruce comes highly qualified, and we look forward to a long association.

Respectfully submitted,

Diane Phillips, M.A.A.
 Ruth Delaney, M.A.A.

Bruce A. Symmes, C.M.A., R.M.A., M.A.A.

FINANCE DEPARTMENT TREASURER/TAX COLLECTOR BRANCH

Dept. Members:

James R. Doukaszewicz, Finance Director
 Carol R. Lambert, Asst. Treasurer
 Margaret M. Mullen, Dept. Asst. to Tax Collector
 Donna M. Rogers, Payroll Co-Ordinator
 Bettie A. Osborne, Accts. Payable/Receivable Clerk
 Judith A. Olsson, Part-time, Legal Clerk
 Joan L. Garland, Data Processing Clerk

Dept. Notes:

The retirement of Lorraine D. Parkhurst occurred this year, leaving the office with the loss of an excellent worker. Donna Rogers was promoted to her position, with Joan Garland returning to the office from the Planning Board to fill in Donna's vacant position.

Tax-title work took up a lot of time this year, with the fruits being seen in receipts late in the year as the Mill Complex got current as did most of our commercial property delinquents. Some bankruptcies were settled, as were F.D.I.C. liquidation matters, bringing more revenue into the Treasury. Current years tax bills are ahead of last year's collections rate by some 2.1%.

We did place tax liens against 94 properties in 1991, and plan to place another 87 liens in early 1992. This process, though difficult on some people, is a necessary step on my part as a Tax Collector to ensure that tax dollars badly needed to support services are brought in to the Town coffers as expeditiously as possible.

Growth in the tax base was achieved permanently as an education override was successful at the annual Town election for nearly one million dollars. New properties are coming on board the tax rolls at a greater rate than last year as well.

Office work loads have become an insurmountable task, however. This is one of the reasons that prompted my early retirement from my job, effective April, 1992. We have added trash fee collections, recycling fee collections, medical insurance payments from retired employees, and quarterly collections on property tax receipts to our work loads in just the past two years, with no added staff hours. I will recommend to the Manager that the office return to a shorter week in hours open to the public, so that required tasks can be completed without constant telephone or customer interruption.

Respectfully submitted,
 James R. Doukaszewicz

POLICE DEPARTMENT

I herein respectfully submit for your information and review the Annual Report of the Police Department for the year 1991.

At the present time, the department is made up of 46 permanent officers.

Chief of Police
Raymond P. McKeon

Deputy Chief
James C. Greska

Captains
Armand J. Caron John J. Mack
Phillip N. Molleur

Sergeants
Steven Burns James F. Murphy
Lance Cunningham John O. Walsh
Raymond G. McCusker

Department Criminal Prosecutor
Lowell District Court
Sergeant Robert M. Burns

Criminal Bureau
Sergeant
William R. McAllister

Inspectors
James T. Finnegan Peter C. McGeown
Brian F. Mullen Timothy F. O'Connor
Eugene W. Walsh

Drug/Alcohol Control Unit
Sergeant
Francis X. Roark

Inspectors
Jared S. Finnegan Roland E. Linstad

Community Services & Safety Officer
Patrick W. Daley

Crime Prevention Officer
Joseph R. Gamache

Patrolmen

Richard A. Adams	Thomas A. Niemaszyk
Paul E. Cooper	John E. Redican
Alan Cote	Paul Richardson
Bruce A. Darwin	Chandler J. Robinson
John J. Donovan	E. Michael Rooney
Kenneth R. Duane	Michael M. Stott
Gail Hunter	William S. Strobel
Francis P. Kelly	Francis Teehan
Martin Krikorian	Robert Trudel
Russell H. Linstad	Scott Ubele
John C. McGeown	William R. Walsh
Debra Metcalf	Ernest R. Woessner, Jr.

Matrons

Faith Allen	Donna Fox
Jo Cobleigh	Cynthia Katsikas
Barbara Ducharme	Dawn O'Donnell
Mary Jo Fitton	Carol Ann Tabor

Principal Clerks

Marie K. DiRocco	Mary Jane Grant
Jo-Ann E. Molleur	

Jr. Clerk
Donna Fox

Civilian Dispatchers

Barbara Ducharme	Frederick Flynn
Milton H. Kinney	Frank Lane

RECEIPTS TURNED OVER TO TOWN

	1990	1991
Photocopying Machine.....	\$3,672.70	\$4,025.00
Firearms Permit.....	2,299.00	2,164.00
Bicycle Registrations	5.50	9.00
Firearms Identification Cards.....	382.00	356.00
Court Fines	189,749.50	132,362.50
Photographs	556.00	404.00
Police Details—Service Charge	38,388.46	59,904.00
False Alarms	5,025.00	7,425.00
Parking Fines	13,399.00	7,920.00
Restitution.....	990.00	910.00
Total Receipts returned to the Town.	\$254,467.16	\$215,479.50

ARRESTS

	1990	1991
Crimes Against Persons	52	74
Crimes Against Property	196	174
Crimes Against Public Order.....	235	206

DISPOSITION OF CASES

	1990	1991
Fines	77	45
Placed on Probation	20	33
Suspended Sentence/Placed on File	16	20
Placed on File	10	7
Not Guilty Finding	6	3
Dismissed With Probable Cause	9	25
Court Costs & Continued Without		
A Finding	27	3

Committed to Youth Services Board	4	7
Committed to M.C.I. Cedar Junction	0	0
Committed to M.C.I. Concord	1	2
Committed to House of Correction, Billerica ..	25	37
Turned Over to Other Courts/P.D.'s	122	161
Cases Pending & Continued in Court	163	97
Placed in Alcohol Safety Program (ASAP)	23	27

MISCELLANEOUS STATISTICS

	1990	1991
Calls Answered by Cruisers	15,451	20,724
Summons Served	653	720
Licenses Suspended/Revoked	385	1,214
Accidents Reported	1,218	1,183
Fatal Accidents	3	4
Personal Injury Accidents	239	459
Mileage on Cruisers	503,518	448,892
Station Lockups	483	454
Citations Issued	3,221	2,039
Parking Violations	636	310
Doors/Windows Found Open	82	139
Protective Custody	68	79
Restraining Orders Served	84	98
False Alarms Responded to by Cruisers	942	1,111

RETIREMENTS

Officer James Midgley retired from the Police Department this past February following 30 years of service to the town.

Karen Leonard retired following 5 years of service with the Police Department as Principal Clerk/Chief's Secretary. Karen got married and relocated to New York City.

POLICE DEPARTMENT LAYOFFS

As a result of continuing additional budget cutbacks, the Police Department was forced to lay off Officer Robert Villare, a veteran of 3 years' service with the department.

The efforts of this department served to generate total receipts of \$215,479.50 which reverted back to the general fund of the town.

I would like to express my sincerest appreciation to the Town Manager, Board of Selectmen and all town officials, departments, and committees for the excellent cooperation given to the Police Department and also congratulate both sworn and non-sworn personnel of this department for once again, maintaining their high performance standards.

Chief Raymond P. McKeon

AUXILIARY POLICE REPORT

The Auxiliary Police Unit celebrated 35 years of service to the Town of Chelmsford this past year. The dedicated townspeople, who were members over the years and gave so much of their time, are directly responsible for the Auxiliary Unit's success, and I thank

them. This last year all Auxiliary members have been recertified in CPR (Cardio Pulmonary Resuscitation) First Aid and Firearms. In addition to this training, officers receive monthly training on police procedures.

The Auxiliary Police Unit assisted the town at numerous events this past year such as: The John Carson Road Race, Memorial Day Parade, Flag Day Ceremonies, Desert Storm Celebrations, Chelmsford High School Graduation Exercises, July 3rd Festivities, July 4th Parade, Vietnam Veteran's Day, Special School Security on Halloween and Thanksgiving Day. The Auxiliary Unit also assisted with traffic and pedestrian control at the First Annual "Holiday Prelude." This event was most successful and the community seemed to thoroughly enjoy it.

In the month of August, the Auxiliary Police Unit was called into emergency action for Hurricane Bob. The members worked long hours. Some members putting in 12 to 16 hours per day over the two days the unit was activated. I was extremely proud of the Unit's performance during that difficult time. Throughout the year, the Auxiliary Officers also assisted the Regular Officers at numerous accident scenes and assisted with the sewer construction traffic details.

Operation House Check was in operation on 263 nights. The statistics were: vacant house checks 3,156; school checks 9,205; town property checks 1,448 for a total of 13,809. The men and women of the Auxiliary Unit donated to the Town a total of 8,736 man hours performing their duties. The Auxiliary continues to sponsor the Explorer Scout Law Enforcement Post 370 and we assist them with training and planning their activities. The scouts have been a great help to the Auxiliary and the Town and I hope the interest in the post will continue.

In these difficult financial times, it is extremely important to have a volunteer group such as the Auxiliary Police Unit. It is my belief that without these dedicated townspeople, many of the aforementioned events would not have been able to be held.

I would like to thank the members of the Auxiliary and their families for donating so much of their time to make Chelmsford a better place to live. I would like to thank the Board of Selectmen and the Town Manager for their support, the Chief and Deputy Chief and all the Officers of the Police Department for their assistance and support over the past year.

Respectfully submitted,

Sergeant Raymond G. McCusker

AUXILIARY ROSTER

Director—Sgt. Raymond G. McCusker
Chelmsford Police Department

AUXILIARY OFFICERS

John Bell	John Paton
Charles Emerson	Bradford Poole
Joseph Eriksen	Edward Quinn
Eric Gordon	James Quinn
Jacqueline Harris	Ralph Roscoe
David Irvine	Kevin Ross
David Leo	Colin Spence
Peter LoPilato	Timothy Swissler
Steven Manning	Scott Tansino
Kim Martin	Michael Taplin
Daniel McLarney	William Vaughn
Erik Merrill	Craig Walsh
Robert Murphy	David Walsh
John Oczkowski	Gary White

Federal Emergency Management Agency (FEMA) and Mass. Emergency Management Agency (MEMA) conducted surveys of the various damages through the Town. FEMA has declared the Town of Chelmsford eligible for Federal Funds.

The CEMA members meet the second Thursday of each month, preparing various reports for Federal and State Emergency Agencies.

The Emergency Coordinator and members spent many volunteer hours this past year at Seminars of Natural Disasters, Radiology and Hazardous Materials.

We wish to thank the Board of Selectmen, Town Manager and all Town Department Heads and personnel for the outstanding cooperation received during this most trying year.

Respectfully submitted,
Walter R. Hedlund
Emergency Coordinator

OFFICE OF THE DOG OFFICER

Report of the Dog Officer for 1991.

Citizen complaints answered	928
Dogs picked up and taken to pound	92
Value of citation fines	\$325.00
Funds turned into town for boarding and other fees collected	\$1,025.00
Dead animals picked up from streets	205
Stray dogs disposed of	55
Dogs returned to owners	37
Miles traveled	12,418
Number of dogs licensed	2,899

OFFICE OF EMERGENCY MANAGEMENT

Walter R. Hedlund
Emergency Coordinator

John Abbott George R. Dixon
Ray Day Depty. Charles S. Galloway

The Chelmsford Emergency Management Agency (Civil Defense) has been very active this past year, with a State of Emergency declared August 19, 1992 by Federal, State and Town Governments, due to Hurricane Bob.

Many volunteer hours were spent by personnel at the Emergency Operating Center at Town Offices during the week long State of Emergency.

DEPARTMENT OF PUBLIC WORKS

This year the DPW (consisting of Engineering, Highway, Parks, Public Buildings and Sewer Division) performed a multitude of tasks and several special projects as further described below.

Because of the minimal manpower staffing levels all employees find themselves assisting in other job functions and even other DPW divisions in an effort to provide the essential services or to prevent problems from becoming emergencies directly affecting the public. Hurricane Bob cleanup and reconstruction of a sewer pump station are two examples of DPW employees assisting in other areas for the good of the Town.

I would like to thank each employee for the part they played in this year's progress.

ORGANIZATIONAL CHART

Town of Chelmsford Department of Public Works

DIRECTOR

James E. Pearson, Town Engineer

HIGHWAY DIV.

J. Long, Supt.
R. Costa, Foreman
B. Loyd, Foreman
M. Burns (Office)
G. Beaulieu, Driver
K. Burroughs, Laborer
J. Cronin, Driver
J. Crotty, Driver
B. Dearborn, Driver
L. Dukeshire, Laborer
J. Ferreira, Mech.
L. Ferreira, Operator
D. Greenwood, Operator
S. Harvey, Driver
E. Howland, Driver
R. Jenson, Mech.
W. McLaughlin, Operator
A. Newcomb, Operator
R. Soucier, Operator

SEWER DIV.

J. Casparro, Insp.
J. Witts, Mech.
E. Newman, Dept. Ass't.
J. Sheehy, Pr. Clerk
G. Loiselle, Pt. Clerk

PUBLIC BLDG. DIV.

B. Deletetsky, Supt. P.T.
P. Murtaugh, Hd. Cust.
J. Johnson, Cust.

PARKS DIV.

E. Jamros

ENGINEERING DIV.

T. Ma, Asst. Tn. Eng.

ENGINEERING DIVISION

The Engineering Division assists the other DPW divisions as well as Town Manager, Board of Selectmen, Traffic and Safety Committee, Conservation Commission, Planning Board and Assessors relative to engineering concerns, such as drainage systems, road layouts, pavement maintenance, site plans, subdivisions, etc. This year much time was spent with the Highway Division due to the unfilled Highway Superintendent position.

HIGHWAY DIVISION

The maintenance of town streets was carried out in the usual manner. This includes paving, crack sealing, catch basin repair and rebuilding, pot hole repair, street and safety signs, line painting, etc.

During the winter the Highway Division handled the sanding, snow plowing and snow removal. The winter of 1991 was a very mild one compared to the average winter season. Approximately 25 inches of snow fell compared to the normal 50 inches.

STREETS RESURFACED:

Chelmsford St.	(from Billerica Rd. to R.R. Tracks)
Dayton St.	(entire length)
Hunt Rd.	(from High St. to Garrison Rd.)
Garrison Rd.	(from Littleton Rd. to Maple Rd.)
School St.	(entire length)
Meadowbrook Rd.	(from Crooked Spring Rd. to Main St.)
Old Westford Rd.	(from Princess St. to Westford Town Line)
Acton Rd.	(approx. 300'—near Bartlett St.)
Crooked Spring Rd.	(from rear of Parker School to Meadowbrook Rd.)

CRACKSEALING:

Portions of the following streets were cracksealed:

Middlesex St.	Amble Rd.
Groton Rd.	Blacksmith Rd.
Main St.	Chestnut Hill Rd.
Crooked Spring Rd.	Old Westford Rd.
Graniteville Rd.	Old Westford Rd. (Parking Lot—Fire Station)
Sarah Lane	Meadowbrook Rd.
Horseshoe Rd.	

Hurricane Bob hit the area late in August, bringing high winds and torrential rains. The storm caused power outages throughout much of the Town. Other damages included road washouts, collapsed headwalls and clogged culverts. Roughly 350 trees were knocked over or severely damaged. The Highway Division personnel displayed their dedication and endurance by staying on the job around the clock to keep roadways open to emergency vehicles and to minimize damages due to flooding.

An underground fuel storage tank was removed from the highway yard on Richardson Road. The remaining storage tanks were pressure tested and found to be in good condition.

Mr. John Long was appointed Highway Division Superintendent in October of this year.

PARKS DIVISION

The Parks division continued its fine work in maintaining the Town's "green areas." The Adopt-A-Park program was once again a success. Special thanks go to Adopt-a-Park volunteers:

Dick Codling, Dick Burkinshaw, Keigh Schuster, Chelmsford Rotary, Valley Green Landscaping, Chelmsford Garden Club, Kevin Stott Landscaping, College Landscaping, David O'Brien, Dun-Rite Landscaping, Laughton Nurseries and Community Tree Co.

Special projects completed this year by Groundskeeper Ed Jamros, included reconstruction of old, unused metal and wood grandstands, repair of all park benches, and repair of tennis posts at Varney Field. The Groundskeeper also assists the Highway and Sewer Divisions in time of emergency, such as snowstorms, Hurricane Bob and pump station failures.

PUBLIC BUILDINGS

The Public Buildings Division is responsible for maintaining the Town Offices, the Old Town Hall, and assists with the Police Station. The staff must also open and close the buildings daily and respond to alarms and other emergency situations. Fortunately Hurricane Bob resulted in very little damage to the buildings.

Special projects completed this year include the installation of additional automatic setback thermostats in the Town Offices and the refurbishing of the sign in front of the Town Offices.

SEWER DIVISION

The Sewer Division is responsible for the operation and maintenance of the sewerage system (collection and pumping). This also includes issuing permits, inspecting connections, keeping as-built record drawings, setting up each individual account, and billing the customers for this sewer usage. At the end of this year there were approximately 1850 units connected to the sewer system. The flow pumped to Lowell is approximately 500,000 gallons per day. Major reconstruction work was required at the Richardson Road Pump Station due to a pump failure. Through careful planning and cooperation of several departments the reconstruction was accomplished without a major system interruption.

Special thanks go to the Sewer Commission and all three Water Districts who lent their assistance and cooperation all year long.

Respectfully submitted,
James E. Pearson, P.E.
Director of Public Works

BOARD OF APPEALS

Members

Robert Kydd, Chairman
Gustave Fallgren, Vice Chairman
Daniel Burke, Clerk
Eileen Duffy
Harold Organ, Jr.

Alternates

Ronald Pare Karen Wharton Leonard Richards

Secretary

Marjorie Hennessy

Hearing Statistics:

	Total	Granted	Denied	Withdrawn
Variances	25	19	6	
Spec. Permits	16	12	3	1
Mod. of Compr. Permit	1	1		
Total	42	32	9	1

Showing the signs of the economy, the Board of Appeal had fewer hearings in 1991 than any other previous year in the last ten. I would like to welcome the new alternate, Leonard Richards, and hope he will enjoy the meetings. I would also like to thank the permanent members for their attendance and also the alternates who sat when requested.

It has been a pleasure serving as Chairman of the Board and I appreciate the help of the Board of Selectmen, Board of Health, Sign Advisory, Conservation Commission and Planning Board for their cooperation during 1991.

Respectfully submitted,

Robert L. Kydd, Chairman
BOARD OF APPEALS

CELEBRATIONS COMMITTEE

Steve Chinetti James K. Gifford
Ray Day Charles Marderosian
Walter R. Hedlund, Chairman

The Celebrations Committee, this past year was very active, coordinating and preparing for the 1991 Annual Fourth of July Celebration. Special thanks to the Chelmsford Lodge of Elks, No. 2310 for their funding and organizing the 1991 Annual Parade honoring Chelmsford Service People who served in the Persian Gulf Conflict, the Chelmsford Lions Club for their funding and planning the 1991 Annual Country Fair on the Common, Chelmsford Art Society for the Arts Festival at Town hall, Chelmsford Community Band, Chelms-

ford Alpine Squares Dancing Club and all various town organizations who participated to make the celebration a huge success.

We thank the efforts of the Police, Fire, Public Works & Parks Department and personnel for their assistance during the celebration.

Many thanks to the many volunteers of the Chelmsford Auxiliary Police and their Explorers Troop for their many volunteer hours.

The committee in meeting in preparation for the Annual 1992 Fourth of July Celebration.

Respectfully submitted,

Walter R. Hedlund,
Chairman

CONSERVATION COMMISSION

Members

Term Expires

James H. McBride, Chairman
David J. McLachlan, Clerk
Karen G. Flynn
Dr. John Droscher
Susan E. Carter
W. Robert Greenwood
Christopher Garrahan
Marjorie Hennessy, Secretary

1992
1992
1992
1993
1993
1994
1994
1994

The Conservation Commission's primary purpose is to administer the General Wetlands By-law of the Town and the Wetlands Protection Act of the Commonwealth of Massachusetts. These By-laws control activities deemed to have significant effect upon the Wetlands, which in turn influence public and private water supplies, flood control, water pollution, fisheries and wildlife.

During 1991 the Commission brought the General Wetlands By-law into compliance and consistency with State regulations. However, in one important respect the Town's By-law is more restrictive than State regulations in its prohibition of building construction within 50 feet of the Wetlands.

The Commission meets regularly on the first and third Wednesday of each month as is needed. In 1991 nine Public Hearings were held in which seven Orders of Conditions were issued instructing the applicant on how to undertake work within 100 feet of Wetlands in order to minimize any possible negative effect on the Wetlands. One application was denied and one hearing has been continued as of this report writing. In addition another 21 Public Hearings were held for Determination of Applicability to the Wetlands By-laws.

Nineteen (19) negative determinations were issued indicating the work planned had no impact on the Wetlands; one positive determination was issued indicating the Wetlands By-laws would apply and one application was withdrawn.

As the Town continues to grow and environmental issues take on greater importance in how they impact the quality of life in our Community, citizen involvement in advising the Commission when damage to the Wetlands starts to occur will assist the Commission in protecting the assets of the Wetlands. We also wish to thank those individuals who have worked with the Commission early in their development plans so that proper planning and execution of development can occur.

After 11 years of dedicated service to the Conservation Commission Charlie Galloway stepped down as a Commissioner. The Conservation Commission wishes to thank Charlie for his many contributions.

CHELMSFORD CULTURAL COUNCIL

Members: Jan. 1-June, 1991

Joyce D. McKenzie	Chairperson
Bette Gagnon	Vice-Chairperson
Sandra Stewich	Secretary
Jeffrey Brem	Treasurer
James Turcotte	
Karen Leonard	
Margrit Mason	
Eddie Copenhaver	
Pat Fitzpatrick	Administrator

Members: Sept., 1991

Joyce D. McKenzie	Chairperson
Pat Fitzgerald	Vice-Chairperson
Margrit Mason	Secretary
Jeffrey Brem	Treasurer
Sandra Stewich	
Karen Leonard	
Eddie Copenhaver	
Deborah Sady	
Jean McCaffery	

Meetings:

1st Monday of the Month

Twice a month during Arts Lottery reviews

The principal function of the Chelmsford Cultural Council is to administer funds allocated to the Town of Chelmsford by the Mass. Cultural Council. Grant applications are available to non-profit cultural organizations for projects benefiting the Chelmsford community.

Even though our budget was cut 70% and the State mandated one funding cycle, 21 grant proposals were either partially or fully funded. Applications ranged from an artist-in-residence program, a barbershop chorus and an International festival to the installation of a sound system for the Old Town Hall Cultural Center. Another facet of the Arts Lottery funding is P.A.S.S. (Performing Arts Students' Series). Initiated in Nov., 1986, this program provides funds for school-aged children (K-12) of the Town to attend performing arts events. The Council is also closely involved with the functioning of the Old Town Hall Cultural Center. Town-based organizations use the hall for special events or for regular rehearsals and meetings. The resignation of Bette Lee Gagnon was regretfully accepted. Member Jim Turcotte concluded 6 years on the Council. New members Deborah Sady and Jean McCaffery were welcomed.

Accomplishments this year include: A workshop—"Supporting the Arts: A Challenge for the 1990's," Statewide convention and roundtable discussions and the installation of the sound system at the Old Town Hall.

Future projects include: A townwide Arts Day on Oct. 3, a performing arts series at the Old Town Hall and the dedication of the sound system.

CHELMSFORD COMMISSION ON HANDICAPPED AFFAIRS

The Commission has actively pursued the accessibility of publicly-used buildings this year and this crucial task will be an on-going process.

Our meetings are open to the public. They are held on the second Thursday of each month at 7:15 p.m.

The Commission's seven members are: Paul Logan—Chairman, Ralph Hickey—Vice Chairman, Catherine Favreau—Secretary, Carol Miller—Treasurer, Alice Beauvais, Terry Eldridge and Mary St.Hilaire.

HISTORIC DISTRICT COMMISSION

Members: Robert P. LaPorte, Jr., Chairman
Harold Davis - Vice Chairman
Harold J. Linnerud
Stephen Stowell
Charles Buuck

Aternate: Bruce Foucar
Paul J. Canniff

Clerk: Mary E. Caffelle

Meetings: The first Monday of each month at the 1802 Schoolhouse. Special meetings when and where required.

During the past year the Historic District Commission accepted 23 applications for Certificates of Appropriateness. Public hearings were scheduled for 9 of these, to permit public input. The remaining 14 were deemed to have an insubstantial effect on the District. For these, hearings were waived and abutters were notified by mail.

These applications resulted in the issuance of 20 Certificates of Appropriateness and 3 Certificates of Non-Applicability or Hardship. No applications were denied.

The members of the Historic District Commission continue to work with property owners within the Historic District to protect and preserve the distinct character of the district.

HOLIDAY DECORATING COMMITTEE

Committee Members:

Donna Johnson, Chairman	Patricia Saber
Ellen Donovan, Treasurer	Carolee Hill
Linda Emerson	Carrie Steiman
Bruce Foucar	Jacqueline Wunschel
Jean Kydd	Carrie Bacon
Dawn Siphon	Dennis Ready
	Selectman Liaison

The Chelmsford Holiday Decorating Committee held its traditional Tree Lighting Ceremony on Sunday, December 8, 1991. This year the event was expanded to include the first Holiday Prelude in Chelmsford Center from 4-5:30 p.m. with the culmination being the tree lighting on the Common at 5:30.

The program highlighted "Santa" arriving by sleigh and escorted by Ms. Chelmsford, Renae Massota, through the Business District to his site on the Common at 4 o'clock. The Committee had decorated the area to provide an appropriate backdrop for "Santa"

as well as an organized way for the children to see and talk with him. "Twinkette" the Clown entertained the waiting families and music was provided by the Lions Club and featured traditional Holiday tunes.

The Prelude in the Business District consisted of businesses being open and giving free "Holiday treats" to all who entered their stores and shops. Most of the businesses participated. Music in the Center was provided by a chorus of volunteers from the high school, a professional bell-ringing group and a brass ensemble of local talents. The Byam School Children's Chorus sang at the Common at 5:15 and Selectman Chairman Dennis Ready gave the Town Holiday Message. The tree was illuminated at 5:30 with all surrounding churches ringing bells.

The Holiday Decorating Committee has received no funds from the Town since 1989 and is funded by voluntary contributions.

PERSONNEL BOARD

Members

Joan Gauthier, Chairman
Harold I. Matzkin, Vice Chairman
John Demers, Clerk
Angela S. Cosgrove
James A. Sousa

Louise Beauchesne, Secretary

The Personnel Board meets on the second Wednesday of each month at the Town Offices. Special work sessions are scheduled when necessary.

The Personnel Board consists of five members (four appointed by the Town Manager and one elected by non-union Town employees).

The Personnel Rules and Regulations were revised, approved and adopted this year by the Board in conjunction with the Town Manager. This covered such subjects as: Recruitment and Appointments, Performance Appraisals and Benefits. In the upcoming year the Board will be working on a new Classification and Compensation Plan.

In its role the Personnel Board supports fair, equitable personnel practices affecting current Town employees and it perpetuates Chelmsford's reputation for attracting highly skilled and motivated employees.

RECREATION COMMISSION ANNUAL REPORT

MEMBERS

Ron Zylich	Chairman
Robert Hayes	Vice Chairman
Michael Ablove	
Robert Charpentier	
Paul Murphy	
Evelyn Newman	
Dennis Sullivan	
Lorraine Murphy	Clerk

In June of 1991, the Recreation Commission held dedication ceremonies and renamed two Chelmsford fields, honoring two individuals who have dedicated years to the youth of Chelmsford.

The Mill Road soccer complex has been renamed Murphy Field, recognizing Recreation Commission Member Paul Murphy for his many years of serving Chelmsford.

Varney Field is now Ayotte Field in honor of Harry Ayotte for his long-standing commitment to the scheduling and maintenance of this field.

Like all Town Departments, Recreation again was challenged by the budget crunch. Our goal to maintain our Summer Programs on a self-supporting basis in 1991 was realized.

The Commission hired a very competent staff with Ed Keefe as Summer Director. By the end of his first summer, Ed had become more confident and did come up with some ideas for improving our program.

Program fees remained the same as 1990, and Chelmsford residents again responded positively. The registrations were slightly lower than 1990, but were enough to remain self supporting. The only area that is not self-supporting is the free swim at Freeman Lake. It is necessary to have two guards present 7 days a week throughout the Summer.

Our Summer Programs included swimming lessons, water adjustment program for 3 & 4 year olds, tennis lessons, track and field, Basketball and Volleyball Camps, and a very successful Day Camp. An advanced tennis program for teenagers depends on the number of registrations.

Recreation again sponsored many not-for-profit sports camps, these include Field Hockey, Wrestling, Football, Girls Basketball, and Youth Soccer.

Our Annual Activities Fair has grown and is a convenient way for parents to register their children in the various programs and camps at one place. The cost of the Activities Fair is absorbed by a grant from CADAC (Community Alcohol and Drug Awareness Committee).

The Fourth of July Pre-Parade Race was another successful project for the Summer of 1991. Financial support from Sully's Ice Cream and help from a few local runners preserved a long standing Chelmsford tradition, the Fourth of July Road Race.

Our Workreation Volunteer Program was again implemented in 1991 and was again very helpful. These young Chelmsford residents volunteer their time to helping in various areas. These youngsters helped in beach maintenance, checking residency at the beach, and also helped with children in Day Camp. They did a terrific job and should be commended for their dedication.

SOLID WASTE ADVISORY COMMITTEE

With the defeat of the recycling override, a user fee for recycling collection was instituted, in addition to the trash user fee. The cost of trash tags was increased to \$1.15 in FY92, and the cost of the annual bill for trash collection was increased to \$80.00. The annual bill included the option of joining the voluntary recycling program for an additional \$30.00. Participants in the recycling program received a large tag for their recycling bin.

The Solid Waste Advisory Committee, along with the Preferred Polystyrene Packaging Partnership, instituted a pilot program for recycling polystyrene at the McCarthy Middle School ever two months.

The Solid Waste Advisory Committee prepared bid specifications for the collection of trash and recycling, for the new contracts which will begin July 1, 1992. The specifications included multi-family housing complexes.

Members of the Solid Waste Advisory Committee were: Allen Beebe, Catherine Brown, Kathryn Chamberlain, Norman Eisenmann, David Turocy, and Barbara Scavezze.

REPORT OF THE VETERANS' EMERGENCY FUND

For the year of 1991 there were no applications received for assistance by veterans of World War II. Thus there were no disbursements from the funds on deposit in local banks.

The total assets of the Veteran's Emergency Fund have now reached \$16,644.86 through November 30th, 1991.

When applications are received they are investigated by the Veterans' Agent, and later by members of the committee.

No cash grants are approved but instead payments are authorized for vendors who supply utilities, medical and doctor and hospital services, food, clothing and rent.

One member who moved away from Chelmsford, Mr. Russell E. Starck, resigned during mid-year. We do want to thank Mr. Starck for his assistance and willingness to serve on the committee for several years.

Present members: one from each voting precinct, are listed as follows:

Precinct 1: Stephen E.C. Belkakis, D.D.S.
 Precinct 2: Russell E. Butterfield
 Precinct 3: James J. Walker
 Precinct 4: John J. McNulty
 Precinct 5: George F. Waite
 Precinct 6: Alfred H. Coburn
 Precinct 7: Robert T. Clough
 Precinct 8: Thomas F. Balfrey
 Precinct 9: Lloyd C. Greene, Jr.

The Committee Members extend their appreciation to the various town officers who have assisted the committee in the past.

VETERANS' EMERGENCY FUND

Treasurer's Report to the Board of Selectmen
 and the Town Manager
 January 1st, 1991 through December 31st, 1991

Balance on Hand as of January 1st, 1991:	\$15,507.91
Add Receipts:	
The Central Savings Bank, Lowell, Mass.	
Interest:	242.82
The Central Savings Bank, Lowell, Mass.	
Interest:	393.37
The Lowell Five Cent Savings Bank, Lowell, Mass.	
Interest	500.76
Total Interest Received:	<u>1,136.95</u>
Balance of Hand as of November 30th, 1991	<u>\$16,644.86</u>

ASSETS

Central Savings Bank Account No. 128790	4,538.68
Central Savings Bank Account No. 2-30-205569	5,117.80
Lowell Five Cent Savings Bank Account No. 44-0007431	6,988.38
Total Assets	<u>\$16,644.86</u>

LIABILITIES

Less Liabilities:	None
Total Assets, Less Liabilities as of December 31, 1991:	<u>\$16,644.86</u>

Respectfully yours,

Town of Chelmsford
 Veterans' Emergency Fund Committee,

Alfred H. Coburn, Treasurer

INDEX

	Page
Application for Appointment to Town Committees	103
Appointed Town Officials	84
Board of Appeals	95
Board of Health	67
Board of Registrars	5
Board of Selectmen	3
Chelmsford Commission on Handicapped Affairs	96
Conservation Commission	95
Cultural Council	96
Department of Public Works	93
Dog Officer	92
Elder Affairs	87
Emergency Management	92
Finance Department (Assessors and Treasurer)	89
Fire Department	87
General Information	2
Historic District Commission	97
Holiday Decorating Committee	97
Housing Authority	68
Nashoba Valley Technical High School	81
Personnel Board	97
Planning Board	71
Police Department	90
Police Auxiliary	91
Public Libraries	69
Recreation Commission	98
School Committee	72
Sewer Commission	83
Solid Waste Advisory Committee	98
Town Accountant	85
Town Celebrations	95
Town Clerk	5
Special Town Meeting—January 7, 1991	6
Annual Town Election Warrant—April 2, 1991	10
Annual Town Meeting Warrant—April 29, 1991	10
Annual Town Election Results	11
Annual Town Meeting—April 29, 1991	14
Adjourned Annual Town Meeting—April 30, 1991	19
Adjourned Annual Town Meeting—May 1, 1991	22
Adjourned Annual Town Meeting—May 6, 1991	27
Special Town Election Warrant—June 4, 1991	52
Special Town Election Results—June 4, 1991	53
Annual Town Meeting (Fall Session) Warrant—October 21, 1991	54
Annual Town Meeting (Fall Session)—October 21, 1991	54
Representative Town Meeting Members	64
Town Directory	Back Cover
Town Manager	4
Veterans' Emergency Fund Committee	99

NOTES

NOTES



**OFFICE OF THE TOWN MANAGER
TOWN OFFICES
50 BILLERICA ROAD
CHELMSFORD, MASS. 01824-2777**

CITIZENS ACTIVITY RECORD

“GOOD GOVERNMENT STARTS WITH YOU”

If you are interested in serving on an appointed town committee, please fill out this form and mail to: Town Manager, Town Offices, 50 Billerica Road, Chelmsford, MA 01824. The filling out of this form in no way assures appointment. All committee vacancies will be filled by citizens deemed most qualified to serve in a particular capacity.

NAME HOME PHONE BUSINESS PHONE

ADDRESS AMOUNT OF TIME AVAILABLE

INTEREST IN WHAT TOWN COMMITTEES

PRESENT BUSINESS AFFILIATION AND WORK

BUSINESS EXPERIENCE

EDUCATION OR SPECIAL TRAINING

DATE APPOINTED	TOWN OFFICES HELD	TERM EXPIRED
----------------	-------------------	--------------

REMARKS

TOWN DIRECTORY

Accounting	250-5215
Assessors	250-5220
Board of Appeals	250-5247
(12:30-4:30 pm)	
Building Inspector	250-5225
(Yard Sales, Kennel & Bldg. Permits)	
Cemetery	250-5245
Community Teamwork	459-0551
Conservation Commission	250-5247
(12:30-4:30 pm)	
Council on Aging	251-0533
Dog Officer	256-0754
Fire Department	256-2541
All Other Fire Business	250-5265
Gas Inspector	250-5225
Health Department	250-5241
Highway Department	250-5270
Garage	250-5271
High School	251-8729
Housing Authority	256-7425
Libraries: Adams	256-5521
McKay	251-3212
Mass. Electric Co.	458-1431
Park Dept. Garage	256-5073
Planning Board Clerk	250-5231
Plumbing Inspector	250-5225
Police Department	256-2521
Post Office (Center)	256-2361
Recreation Commission	250-5262
(8:30 am-12:30 pm)	
Registry of Deeds (Lowell)	458-8474
Registry of Motor Vehicles	459-9397
School Administration	251-4981
Selectmen	250-5201
Sewer Commission	250-5233
Supt. of Public Bldgs	250-5249
Town Clerk	250-5205
Town Engineer	250-5228
Treasurer/Tax Collector	250-5210
Veterans' Agent	251-0123
Water Dept	256-2381
Welcome Wagon, Billerica	663-4030
Welfare, Lowell	454-8061
Wiring Inspector	250-5225
24-hr. Junior Hotline	1-800-792-5117

POLL LOCATIONS FOR ELECTIONS

Precinct 1: Town Offices Gym
 Precinct 2: Harrington School Gym
 Precinct 3: Harrington School Gym
 Precinct 4: Westlands School
 Precinct 5: Byam School Cafetorium
 Precinct 6: Westlands School
 Precinct 7: McCarthy Middle School
 Precinct 8: McCarthy Middle School
 Precinct 9: Town Offices Gym

U.S. Senator Edward M. Kennedy
 JFK Federal Bldg. Boston, MA 02202
 431 Russell Office Building
 Washington, DC 20510
 1 202-224-4543

U.S. Senator John F. Kerry
 10 Park Plaza
 Boston, MA 02116
 362 Russell Office Building
 Washington, DC 20510

Congressman Chester G. Atkins
 1429 Longworth House Bldg.
 Washington, D.C. 20515
 508-459-0101 (Lowell) Post Office

State Representative Carol Clevon
 Room 36 State House
 Boston, MA 02133 617-722-2552
 Home: 4 Arbutus Ave., Chelmsford, MA
 508-256-5043

State Senator Lucile C. Hicks
 Room 413G—State House
 Boston, MA 02133

Middlesex County Commissioners
 Superior Courthouse 494-4100
 East Cambridge, MA 02141